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Wednesday  
October 29, 1997

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**Part XI**

**Department of  
Justice**

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**Semiannual Regulatory Agenda**

## DEPARTMENT OF JUSTICE (DOJ)

## DEPARTMENT OF JUSTICE

8 CFR Ch. I

21 CFR Ch. I

28 CFR Ch. I

## Regulatory Agenda

AGENCY: Department of Justice.

ACTION: Semiannual regulatory agenda.

**SUMMARY:** The Department of Justice is publishing its October 1997 regulatory agenda pursuant to E.O. 12866 "Regulatory Planning and Review," 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S.C. sections 601-612 (1988).

**FOR FURTHER INFORMATION CONTACT:** Robert Hinchman, Senior Counsel, Office of Policy Development, Department of Justice, Room 4258, 950 Pennsylvania Avenue NW., Washington, DC 20530, (202) 514-8059.

**SUPPLEMENTARY INFORMATION:** For this edition of the Department of Justice's

regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in Part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the Table of Contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate Sequence Number in Part II.

**Dated:** September 5, 1997.

**Eleanor D. Acheson,**  
Assistant Attorney General, Office of Policy Development.

## Bureau of Prisons—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1818	Postsecondary Education Programs .....	1120-AA25
1819	Correspondence: Excludable Mail .....	1120-AA65

## Bureau of Prisons—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1820	Volunteer Community Service Projects .....	1120-AA03
1821	Intensive Confinement Centers .....	1120-AA11
1822	Incoming Publications/Inmate Legal Activities .....	1120-AA15
1823	Infectious Diseases .....	1120-AA23
1824	Fines and Costs .....	1120-AA29
1825	Birth Control, Pregnancy, Child Placement, Abortion .....	1120-AA31
1826	Literacy Program .....	1120-AA33
1827	Telephone Regulations and Inmate Financial Responsibility .....	1120-AA39
1828	Inmate Personal Property .....	1120-AA46
1829	Correspondence: Restricted Special Mail Procedures .....	1120-AA48
1830	Telephone Regulations and Inmate Financial Responsibility .....	1120-AA49
1831	Correspondence: Pretrial Inmates .....	1120-AA52
1832	Incoming Publications: Nudity and Sexually Explicit Material or Information .....	1120-AA59
1833	Searching and Detaining or Arresting Persons Other Than Inmates .....	1120-AA61
1834	Good Conduct Time .....	1120-AA62
1835	Progress Reports: Triennial Preparation .....	1120-AA63
1836	Classification and Program Review: Team Meetings .....	1120-AA64

## Bureau of Prisons—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1837	Federal Prison Industries (FPI) Work Program: Deportation Orders .....	1120-AA57

## Bureau of Prisons—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1838	Religious Beliefs and Practices .....	1120-AA17
1839	English as a Second Language Program .....	1120-AA19

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## Bureau of Prisons—Completed Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
1840	Inmate Discipline (Good Conduct Time) .....	1120-AA34
1841	Postsecondary Education Programs .....	1120-AA35
1842	Drug Abuse Treatment Programs: Early Release Consideration .....	1120-AA36
1843	Scope of Rules: National Security Considerations .....	1120-AA47
1844	Scope of Rules: Prevention of Acts of Violence and Terrorism .....	1120-AA54
1845	Transfer of Offenders to or From Foreign Countries .....	1120-AA60
1846	Urine Surveillance .....	1120-AA68

## Civil Rights Division—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1847	Nondiscrimination on the Basis of Sex in Federally Assisted Programs and Activities—Implementation of Title IX of the Education Amendments of 1972 ( <b>Reg Plan Seq. No. 63</b> ) .....	1190-AA28
1848	Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, As Amended .....	1190-AA35

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Civil Rights Division—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1849	Nondiscrimination on the Basis of Disability in State and Local Government Services; Public Accommodations and Commercial Facilities; Accessibility Standards ( <b>Reg Plan Seq. No. 64</b> ) .....	1190-AA26
1850	Nondiscrimination on the Basis of Disability in State and Local Government Services .....	1190-AA36
1851	Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities; Children's Facilities .....	1190-AA38

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Civil Rights Division—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1852	Amendment to Nondiscrimination in Federally Assisted Programs and Activities—Implementation of Title VI of the Civil Rights Act of 1964 .....	1190-AA31
1853	Amendment to Coordination of Enforcement of Nondiscrimination in Federally Assisted Programs—Implementation of Title VI of the Civil Rights Act of 1964 .....	1190-AA32
1854	Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups .....	1190-AA39

## Civil Rights Division—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1855	Redress Provisions for Persons of Japanese Ancestry: Guidelines under <i>Ishida v. United States</i> .....	1190-AA40

## Drug Enforcement Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1856	Removal of Restrictions on Employing Certain Individuals .....	1117-AA28
1857	Exemption of Chemical Mixtures .....	1117-AA31

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## Drug Enforcement Administration—Proposed Rule Stage (Continued)

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1858	Separate Registrations for Separate Locations .....	1117-AA39
1859	Guidelines for Providing Controlled Substances to Ocean Vessels .....	1117-AA40
1860	Restriction of Import/Export Requirements for Personal Medical Use .....	1117-AA41
1861	Listed Chemicals; Proposed Thresholds for Iodine and Hydrochloric Gas (Hydrogen Chloride Gas) .....	1117-AA43
1862	Implementation of the MCA; Regulation of Pseudoephedrine, Phenylpropanolamine, and Combination Ephedrine Drug Products and Reports of Certain Transactions to Nonregulated Persons .....	1117-AA44
1863	Removal of Advance Notice Requirement for Certain Chemical Importations .....	1117-AA45

## Drug Enforcement Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1864	Definition and Registration of Disposers .....	1117-AA19
1865	Registration and Reregistration Application Fees .....	1117-AA34
1866	Establishment of Freight Forwarding Facilities .....	1117-AA36
1867	Temporary Exemption From Chemical Registration Requirements for Distributions of Combination Ephedrine Products .....	1117-AA42

## Drug Enforcement Administration—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1868	Reporting on Psychotropic Substances .....	1117-AA22

## Drug Enforcement Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1869	Prescriptions for Controlled Substances, Requirements for Use of Automated Data Processing Systems .....	1117-AA03
1870	Removal of Exemption for Products Containing Ephedrine With Guaifenesin (Which Are Lawfully Marketed Under the FDCA) From the Chemical Control Provisions of the CSA .....	1117-AA37

## Executive Office for Immigration Review—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1871	Discipline of Attorneys and Representatives .....	1125-AA13
1872	Office of Chief Administrative Hearing Officer; Administrative Law Judges .....	1125-AA17
1873	Authority of Immigration Judges to Issue Civil Money Penalties .....	1125-AA18

## Executive Office for Immigration Review—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1874	Rules Concerning Conditional Permanent Residence for Alien Entrepreneurs in Deportation Proceedings .....	1125-AA02
1875	Conditional Grants of Suspension of Deportation and Cancellation of Removal .....	1125-AA19

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## Executive Office for Immigration Review—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1876	Fees for Motion to Reopen or Reconsider .....	1125-AA15
1877	Representation and Appearances: Law Students and Law Graduates .....	1125-AA16

## General Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1878	Supplemental Standards of Ethical Conduct for Employees of the Department of Justice .....	1103-AA25

## Immigration and Naturalization Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1879	New Rules Regarding Procedures for Asylum and Withholding of Removal .....	1115-AE93

## Immigration and Naturalization Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1880	Revised Grounds of Inadmissibility, Waivers for Immigrants and Nonimmigrants, and Exceptions <b>(Reg Plan Seq. No. 65)</b> .....	1115-AB45
1881	Reduction of the Number of Acceptable Documents and Other Changes to Employment Verification Requirements <b>(Reg Plan Seq. No. 66)</b> .....	1115-AB73
1882	Educational Requirements for Naturalization .....	1115-AD52
1883	Nonimmigrant Classes; Diplomat and Government Representatives; Transits; Requirements for Admission, Extension and Maintenance of Status .....	1115-AD57
1884	Nonimmigrant Classes; S Classification; Law Enforcement Initiatives; Alien Witnesses .....	1115-AD86
1885	Inspection of Alien Crew Members; 90-day Waiver .....	1115-AD95
1886	Employment Authorization Document Applications and Process .....	1115-AE06
1887	Eligibility of Persons for Refugee Status and Withholding of Deportation; Elimination of Parole Review Program for Excludable Mariel Cubans .....	1115-AE30
1888	Entry and Exclusion Provisions; Arrival and Departure Manifests and Lists; Inspection of Persons Applying for Admission; User Fee Requirements for In-Transit Passengers .....	1115-AE37
1889	Contracts with Transportation Lines; Limiting Transfers of Transit Without Visa Aliens in the United States to One Electronic Ticketing .....	1115-AE41
1890	Examinations Fee Account Schedule .....	1115-AE42
1891	Judicial Review of Decisions of the Executive Office for Immigration Review and the Immigration and Naturalization Service .....	1115-AE46
1892	Petitioning Requirements for the H Nonimmigrant Classification .....	1115-AE52
1893	Canadian Border Boat Landing Program .....	1115-AE53
1894	Charging of Fees for Mexican Border Crossing Cards .....	1115-AE54
1895	Corporate Reorganizations (Mergers and Acquisitions) and E, H, L Nonimmigrant Classification .....	1115-AE55
1896	Petition for Employment Creation Aliens .....	1115-AE56
1897	Suspension of Privilege To Transport Aliens to the United States .....	1115-AE59
1898	Filing Factual Statements About Alien Prostitutes .....	1115-AE60
1899	Rights of Habitual Residence Between the United States and the Governments of the Marshall Islands, Micronesia and Palau .....	1115-AE61
1900	Nonimmigrant Overstays .....	1115-AE62
1901	F-1 Visa Abusers and Foreign Students .....	1115-AE63
1902	Use of Parole for Humanitarian Reason or Significant Public Benefit and Report to Congress .....	1115-AE68
1903	Limiting Liability for Certain Technical Violations of Paperwork Violations .....	1115-AE70
1904	Collection of Fees Under the Dedicated Commuter Lane Program, Port Passenger Accelerated Service System (PORTPASS) Program .....	1115-AE71

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## Immigration and Naturalization Service—Proposed Rule Stage (Continued)

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1905	Certification of Certain Health Care Workers .....	1115-AE73
1906	Powers and Duties of the Attorney General and the Commissioner Delegation of Immigration Enforcement Authority .....	1115-AE76
1907	Civil Monetary Penalty Inflation Adjustment .....	1115-AE79
1908	Surrender of Aliens Ordered Removed From the United States .....	1115-AE82
1909	Proceedings to Determine Deportability of Aliens in the United States: Apprehension, Custody, Hearing, and Appeal .....	1115-AE83
1910	Clarification of Age Requirements For Fingerprinting Naturalization Applicants .....	1115-AE86
1911	Procedures for the Detention and Release of Criminal and Terrorist Aliens by the INS and for Custody Redeterminations by the Executive Office for Immigration Review .....	1115-AE88
1912	Control of Aliens Departing From the United States .....	1115-AE89
1913	Examinations Fee Account Schedule—EOIR .....	1115-AE90

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

## Immigration and Naturalization Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1914	Seizure and Forfeiture of Conveyances .....	1115-AA95
1915	Nonimmigrant Classes; NATO-1, 2, 3, 4, 5, 6, and 7; Control of Employment of Aliens (Special Requirement for Admission, Extension and Maintenance of Status; NATO) .....	1115-AB52
1916	Nonimmigrant Classes; North American Free Trade Agreement (United States-Canada Free Trade Agreement Amendments) .....	1115-AB72
1917	Visa Waiver Pilot Program .....	1115-AB93
1918	Removal of Conditional Basis and Lawful Permanent Residence for Certain Alien Spouses and Sons and Daughters; Battered and Abused Conditional Residents .....	1115-AC47
1919	Adjustment of Status to That of Person Admitted for Permanent Residence: Conditional Residents and Fiance(e)s .....	1115-AC70
1920	Nonimmigrant Classes; B Visitor for Business or Pleasure .....	1115-AC89
1921	Inspection of Persons Applying for Admission .....	1115-AD17
1922	Mexican and Canadian Nonresident Alien Border Crossing Cards (BCCs) .....	1115-AD24
1923	Adjustment of Status; Certain Nationals of the Peoples Republic of China .....	1115-AD33
1924	Petitions for Employment-Based Immigrants .....	1115-AD55
1925	Procedures for Filing a Derivative Petition (Form I-730) for a Spouse and Unmarried Children of a Refugee/Asylee .....	1115-AD59
1926	Requests for Additional Evidence To Support Immigrant Visa Petitions .....	1115-AD70
1927	Expansion of Direct Mail Program .....	1115-AD73
1928	Admission of Certain Nurses Seeking Nonimmigrant Classification Under the H-1A Category .....	1115-AD74
1929	Fees for Participation in Dedicated Commuter Lanes at Selected Ports of Entry; Collection of Fees Under the Dedicated Commuter Lane Program .....	1115-AD82
1930	Adjustment of Status to That of Person Admitted for Permanent Residence; Temporary Removal of Certain Restrictions on Eligibility .....	1115-AD83
1931	Screening Requirements of Carriers for Reduction, Refund, or Waiver of Fines .....	1115-AD97
1932	Petition to Classify Alien as Immediate Relative of a U.S. Citizen or as a Preference Immigrant; Self-Petitioning for Certain Battered or Abused Alien Spouses and Children .....	1115-AE04
1933	Miscellaneous Modifications to Naturalization Regulations .....	1115-AE07
1934	Conditions on Nonimmigrant Status; Disclosure of Information .....	1115-AE17
1935	Regulations Relating to Temporary Protected Status .....	1115-AE26
1936	Regulations Pertaining to Adjudications Processing .....	1115-AE31
1937	Orphan Petitions; Petitions To Classify Alien as Immediate Relative of a United States Citizen or Preference Immigrant; Change in Definition of Child .....	1115-AE33
1938	Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures .....	1115-AE47
1939	Agreement Promising Non-Deportation or Other Immigration Benefits .....	1115-AE50
1940	Definition of the Term "Lawfully Present" for Purposes of Applying for Title II Benefits Under the Social Security Act .....	1115-AE51
1941	Affidavits of Support on Behalf of Immigrants .....	1115-AE58
1942	Employment Verification by Collective Bargaining Units .....	1115-AE67
1943	Ineligibility of Certain Juvenile Offenders for Family Unity Program .....	1115-AE72

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## Immigration and Naturalization Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
1944	Adjustment of Status for Certain Polish or Hungarian Parolees .....	1115-AE74
1945	Regulations Pertaining to Battered Aliens and to Mail Order Bride Businesses, as Mandated by IIRIRA .....	1115-AE77
1946	Pilot Programs to Require Bonding in Addition to the Affidavit of Support .....	1115-AE78
1947	Establishment of Preinspected Automated Lane (PAL) Program at Immigration and Naturalization Service .....	1115-AE80
1948	The External Boundary and the Territorial Waters of the United States .....	1115-AE85
1949	Amendment of the Regulatory Definition of Arriving Alien .....	1115-AE87

## Immigration and Naturalization Service—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1950	Nonimmigrant Classes; Temporary Employees—H-2A Agricultural .....	1115-AA25
1951	Field Officers; Powers and Duties; Subpoena .....	1115-AB63
1952	Termination of Temporary Resident Status .....	1115-AB74
1953	Temporary Alien Workers Seeking Classification Under the Immigration and Nationality Act .....	1115-AC72
1954	F, J, and M Nonimmigrant Student Requirements for Admission, Tracking, Maintenance of Status and for Employment Authorization .....	1115-AD16
1955	Executing Final Order of Exclusion or Deportation; Conforming 72-Hour Notice Provisions .....	1115-AD71
1956	Regulation Changes Necessitated by the Break-up of the Soviet Union and Czechoslovakia, the Unification of the Two Germanies, and the Name Change of the Democratic Republic of Vietnam .....	1115-AD96
1957	Notice of Policy Regarding Fines Imposed on Carriers Who Bring Aliens to the United States Without Proper Documentation .....	1115-AE09
1958	"Master Exhibits" Currently Available .....	1115-AE14
1959	Employer Sanctions Modifications .....	1115-AE21
1960	Effect of Parole of Cuban and Haitian Nationals on Resettlement Assistance Eligibility .....	1115-AE29
1961	Immigration and Naturalization Service P-1 Nonimmigrants .....	1115-AE38
1962	Order to Show Cause and Notice of Hearing; Apprehension, Custody and Detention .....	1115-AE57

## Immigration and Naturalization Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1963	Contracts With Transportation Lines; Increasing the Liquidated Damages for Carrier Violations of the TWOV Agreement to \$3000 .....	1115-AC17
1964	Marriage During Deportation or Exclusion Proceedings; Bona Fide Marriage Exemption to Prohibition Against Approval of Relative Visa Petition or Adjustment of Status .....	1115-AC43
1965	Treaty Aliens, E Classification .....	1115-AC51
1966	Unavailability of TWOV to Citizens of the Former Socialist Federal Republic of Yugoslavia .....	1115-AC87
1967	Issuance of Charging Documents by Asylum Officers .....	1115-AD64
1968	Waiver of the Two-Year Home Country Physical Presence Requirement for Certain Foreign Medical Graduates ....	1115-AD89
1969	Preinspection Services for Aircraft, Vessels, and Trains Outside the United States (Preinspection) .....	1115-AD98
1970	Notice to Carriers of the INS Policy on the Requirements of Arrival/Departure Manifests, Form I-94, and Fines Implications Under Section 231(a) .....	1115-AE11
1971	Recognized Providers of Immigration Assistance and Forms Preparation Services .....	1115-AE18
1972	Acquisition of Citizenship; Equal Treatment of Women in Conferring Citizenship to Children Born Abroad .....	1115-AE19
1973	Periods of Lawful Temporary Resident Status and Lawful Permanent Resident Status To Establish Seven Years of Lawful Domicile .....	1115-AE27
1974	Registration of Aliens on Criminal Probation or Criminal Parole .....	1115-AE65
1975	Employer Sanctions: Miscellaneous Provisions .....	1115-AE66
1976	Addition of Organization to Listing of American Institutions of Research Recognized by the Attorney General .....	1115-AE84

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## Legal Activities—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1977	Federal Claims Collection Standards (FCCS) .....	1105-AA31
1978	False Claims Amendments Act of 1986—Civil Investigative Demands .....	1105-AA42
1979	Implementation of the National Stolen Passenger Motor Vehicle Information System (NSPMVIS) .....	1105-AA44
1980	Filing of Informational Materials .....	1105-AA45
1981	Guidelines for Megan's Law and the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act .....	1105-AA50
1982	Operation of the National Instant Criminal Background Check System .....	1105-AA51
1983	Justice Acquisition Regulations .....	1105-AA55
1984	Implementation of the Pam Lychner Sexual Offender Tracking and Identification Act .....	1105-AA56

## Legal Activities—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1985	Production or Disclosure of Material or Information .....	1105-AA20
1986	Implementation of Sections 104 and 109 of the Communications Assistance for Law Enforcement Act .....	1105-AA39
1987	Civil Monetary Penalties Inflation Adjustment .....	1105-AA48
1988	Radiation Exposure Compensation Act: Evidentiary Requirements; Definitions and Number of Claims Filed .....	1105-AA49
1989	Procedures To Review Removals and Suspensions of Standing Trustees and Panel Trustees .....	1105-AA54

## Legal Activities—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
1990	Criminal Fines Enforcement .....	1105-AA16
1991	Violent Crime and Drug Emergency Areas .....	1105-AA29
1992	Federal Convicted Offender DNA Database Program .....	1105-AA52

## Legal Activities—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1993	Qualifications for Chapter 13 Standing Trustees .....	1105-AA32
1994	Child Protection Restoration and Penalties Enhancement Act of 1990 .....	1105-AA46
1995	Classified National Security Information and Access to Classified Information .....	1105-AA53

## Office of Justice Programs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1996	Confidentiality of Identifiable Research and Statistical Information .....	1121-AA33
1997	Criminal Justice Block Grants .....	1121-AA34
1998	Private Sector/Prison Industry Enhancement Certification .....	1121-AA36

## Office of Justice Programs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1999	Young American Medals Program .....	1121-AA37



## DOJ

## Office of Justice Programs—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
2000	Grants Program for Indian Tribes .....	1121-AA41
2001	Administrative Requirements for Grantees To Reflect Single Audit Act Amendments .....	1121-AA45

## Office of Justice Programs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2002	Federal Law Enforcements Dependents Assistance Program .....	1121-AA44

DEPARTMENT OF JUSTICE (DOJ)  
Bureau of Prisons (BOP)

## Proposed Rule Stage

## 1818. POSTSECONDARY EDUCATION PROGRAMS

**Priority:** Routine and Frequent**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 544**Legal Deadline:** None**Abstract:** This document restricts eligibility for Bureau payment of tuition for inmates who are refusing participation in the Inmate Financial Responsibility Program and for inmates who have a deportation detainer.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	
NPRM Comment Period End	06/00/98	
Final Action	12/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655**RIN:** 1120-AA25

## 1819. • CORRESPONDENCE: EXCLUDABLE MAIL

**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006-5024; 18 USC 5039; 28 USC 509; 28 USC 510**CFR Citation:** 28 CFR 540**Legal Deadline:** None**Abstract:** This document defines excludable mail and establishes procedures for handling such mail.**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	
NPRM Comment Period End	04/00/98	
Final Action	10/00/98	
Final Action Effective	11/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA65DEPARTMENT OF JUSTICE (DOJ)  
Bureau of Prisons (BOP)

## Final Rule Stage

## 1820. VOLUNTEER COMMUNITY SERVICE PROJECTS

**Priority:** Routine and Frequent**Legal Authority:** 18 USC 1512; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4005; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 551.60**Legal Deadline:** None**Abstract:** This document establishes provisions for Voluntary Community Service Projects. A volunteer community service project is a project designed to provide for the public good which has been developed by local government or by a nonprofit charitable organization for approval by the Bureau. This rule provides for the voluntary participation by an inmate in a volunteer community service project. The intent of this rule is to promote

the public interest and provide for the security and good order of the institution by reducing inmate idleness.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/19/93	58 FR 5210
Final Action	12/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None

## DOJ—BOP

## Final Rule Stage

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA03

### 1821. INTENSIVE CONFINEMENT CENTERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4046; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 524.31 to 524.34

**Legal Deadline:** None

**Abstract:** This document establishes procedures for the operation of a specialized program combining features of a military boot camp with the traditional correctional values of the Bureau of Prisons. Inmates who successfully complete this program may be placed in community-based programs for longer periods of time than ordinarily permitted.

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	04/26/96	61 FR 18658
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA11

### 1822. INCOMING PUBLICATIONS/INMATE LEGAL ACTIVITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510; 28 USC 1346(b); 28 USC 2671 to 2680

**CFR Citation:** 28 CFR 540.71; 28 CFR 543.11

**Legal Deadline:** None

**Abstract:** This document amends Bureau regulations on Incoming Publications to require that inmates in medium security, high security, and administrative institutions may receive softcover publications only from the publisher, book club, or bookstore. A conforming amendment is made to the Bureau's regulations on Inmate Legal Activities.

#### Timetable:

Action	Date	FR Cite
NPRM	01/18/94	59 FR 2668
NPRM Comment Period End	03/21/94	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA15

### 1823. INFECTIOUS DISEASES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4005; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 549

**Legal Deadline:** None

**Abstract:** This document combines existing regulations on HIV programs with provisions applicable to correctional management of tuberculosis and hepatitis B.

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	10/05/95	60 FR 52278
Interim Final Rule Comment Period End	12/04/95	
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA23

### 1824. FINES AND COSTS

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3565; 18 USC 3568 to 3569; 18 USC 3621; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 4201 to 4218; 18 USC 5031 to 5042; 28 USC 509 to 510

**CFR Citation:** 28 CFR 571.50 to 571.56

**Legal Deadline:** None

**Abstract:** This document will revise Bureau regulations to update procedures for processing a fine or costs ordered by the court with respect to an inmate convicted of an offense committed before November 1, 1987.

#### Timetable:

Action	Date	FR Cite
Final Action	11/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA29

### 1825. BIRTH CONTROL, PREGNANCY, CHILD PLACEMENT, ABORTION

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 1512; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 551.22 to 551.24

**Legal Deadline:** None

**Abstract:** This document removes references to restrictions on Bureau funding of an elective abortion. Removal of these references is necessary to conform to changes in legislative authority. This document also makes various editorial or organizational changes for the sake of clarity.

#### Timetable:

Action	Date	FR Cite
Interim Final Rule	12/06/94	59 FR 62968
Final Action	11/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** None

## DOJ—BOP

## Final Rule Stage

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA31

**1826. LITERACY PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510

**CFR Citation:** 28 CFR 544.70 to 544.76

**Legal Deadline:** None

**Abstract:** This document implements statutory provisions which make an inmate's vesting of good conduct time contingent upon the inmate's obtaining or making satisfactory progress toward obtaining a General Educational Degree or high school diploma. Additional changes to the regulations on the Bureau's literacy program are made for the sake of clarification or simplification.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/26/97	62 FR 50791
Final Action	04/00/98	
Final Action Effective	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA33

**1827. TELEPHONE REGULATIONS AND INMATE FINANCIAL RESPONSIBILITY**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039

**CFR Citation:** 28 CFR 540

**Legal Deadline:** None

**Abstract:** This document postpones the effective date for certain provisions of

the final rule on Telephone Regulations and Inmate Financial Responsibility which was published on April 4, 1994.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/02/96	61 FR 90
Final Action	12/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA39

**1828. INMATE PERSONAL PROPERTY**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510

**CFR Citation:** 28 CFR 553.10 to 553.15

**Legal Deadline:** None

**Abstract:** This document revises procedures governing the transfer of inmate personal property between institutions.

**Timetable:**

Action	Date	FR Cite
NPRM	04/01/96	61 FR 14440
NPRM Comment Period End	05/31/96	
Final Action	11/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA46

**1829. CORRESPONDENCE: RESTRICTED SPECIAL MAIL PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510

**CFR Citation:** 28 CFR 540.18

**Legal Deadline:** None

**Abstract:** This document provides for restricted special mail procedures in instances where the Warden has reason to believe that the special mail may pose or may threaten physical harm to the intended recipient.

**Timetable:**

Action	Date	FR Cite
NPRM	02/14/96	61 FR 5846
NPRM Comment Period End	04/15/96	
Final Action	11/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA48

**1830. TELEPHONE REGULATIONS AND INMATE FINANCIAL RESPONSIBILITY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3013; 18 USC 3571; 18 USC 3572; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 3663; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; ...

**CFR Citation:** 28 CFR 540.105; 28 CFR 545.11

**Legal Deadline:** None

**Abstract:** This document establishes limitations on telephone privileges and commissary privileges for inmates who refuse to participate in the inmate financial responsibility program.

**Timetable:**

Action	Date	FR Cite
NPRM	01/02/96	61 FR 92
NPRM Comment Period End	03/04/96	

## DOJ—BOP

## Final Rule Stage

Action	Date	FR Cite
Final Action	11/00/97	
Final Action Effective	12/00/97	
<b>Small Entities Affected:</b> None		
<b>Government Levels Affected:</b> None		
<b>Agency Contact:</b> Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534		
Phone: 202 514-6655		
<b>RIN:</b> 1120-AA49		

**1831. CORRESPONDENCE: PRETRIAL INMATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621; 18 USC 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081; 18 USC 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509; 28 USC 510**CFR Citation:** 28 CFR 540.14**Legal Deadline:** None**Abstract:** This document requires that general correspondence from pretrial inmates may not be sealed and may be read and inspected by staff.**Timetable:**

Action	Date	FR Cite
NPRM	12/09/96	61 FR 64954
NPRM Comment Period End	02/07/97	
Final Action	11/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

**RIN:** 1120-AA52**1832. INCOMING PUBLICATIONS: NUILITY AND SEXUALLY EXPLICIT MATERIAL OR INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 551; 5 USC 552a; 18 USC 1791; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510; PL 104-208**CFR Citation:** 28 CFR 540.70 to 540.72**Legal Deadline:** None**Abstract:** This rule modifies the Bureau of Prisons rule on Incoming Publications in order to implement the provisions of the Fiscal Year 1997 Omnibus Budget Act (Public Law 104-208) prohibiting use of appropriated funds for distributing or making available to an inmate any commercially published information or material when such information or material is sexually explicit or features nudity.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/06/96	61 FR 57568
Final Action	12/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA59**1833. SEARCHING AND DETAINING OR ARRESTING PERSONS OTHER THAN INMATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 751 to 752; 18 USC 1791 to 1793; 18 USC 3050; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4012; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 511**Legal Deadline:** None**Abstract:** This document amends the regulations on searching/detaining of non-inmates to authorize the Warden to conduct visual searches of visitors suspected of introducing contraband into a low and above security level institution (or administrative institution, or in a pretrial or in a jail unit within any security level institution) when there is reasonable suspicion that the visitor possesses contraband or is introducing or attempting to introduce contraband into the institution.**Timetable:**

Action	Date	FR Cite
NPRM	03/05/97	62 FR 10164
NPRM Comment Period End	05/05/97	
Final Action	11/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA61**1834. GOOD CONDUCT TIME****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 3568; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4161 to 4166; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 523**Legal Deadline:** None**Abstract:** This document implements the Bureau of Prisons discretion in awarding good conduct time when the inmate has not earned or is not making satisfactory progress toward earning a high school diploma or GED.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/27/97	62 FR 50786
Final Action	12/00/97	
Final Action Effective	05/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA62**1835. PROGRESS REPORTS: TRIENNIAL PREPARATION****Priority:** Routine and Frequent**Legal Authority:** 18 USC 3521 to 3528; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC

## DOJ—BOP

## Final Rule Stage

4046; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 21 USC 848; 28 USC 509 to 510

**CFR Citation:** 28 CFR 524

**Legal Deadline:** None

**Abstract:** To amend regulations on progress reports to require that progress reports for designated inmates be prepared at least once every 36 months. The purpose of this change is to streamline operations at Bureau facilities while continuing to provide appropriate program services to inmates.

**Timetable:**

Action	Date	FR Cite
NPRM	03/05/97	62 FR 10164
NPRM Comment Period End	05/05/97	
Final Action	11/00/97	
Final Action Effective	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA63

**1836. CLASSIFICATION AND PROGRAM REVIEW: TEAM MEETINGS**

**Priority:** Routine and Frequent

**Legal Authority:** 18 USC 3521 to 3528; 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4046; 18 USC 4081 to 4082; 18 USC 5006 to 5024; 18 USC 5039; 21 USC 848; 28 USC 509 and 510

**CFR Citation:** 28 CFR 524

**Legal Deadline:** None

**Abstract:** To amend regulations on classification and program review to discontinue the practice of permitting

inmates to waive appearance at classification team meetings for program reviews. The purpose of this change is to ensure that inmates participate in program reviews.

**Timetable:**

Action	Date	FR Cite
NPRM	04/21/97	62 FR 19430
NPRM Comment Period End	06/20/97	
Final Action	01/00/98	
Final Action Effective	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534

Phone: 202 514-6655

Fax: 202 307-0828

**RIN:** 1120-AA64

**DEPARTMENT OF JUSTICE (DOJ)**  
**Bureau of Prisons (BOP)**

**Long-Term Actions**

**1837. FEDERAL PRISON INDUSTRIES (FPI) WORK PROGRAM: DEPORTATION ORDERS**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 345

**Timetable:**

Action	Date	FR Cite
NPRM	04/30/97	62 FR 23536
NPRM Comment Period End	06/30/97	
Final Action	11/00/98	
Final Action Effective	12/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655  
Fax: 202 307-0828

**RIN:** 1120-AA57

**DEPARTMENT OF JUSTICE (DOJ)**  
**Bureau of Prisons (BOP)**

**Completed Actions**

**1838. RELIGIOUS BELIEFS AND PRACTICES**

**Priority:** Other Significant

**CFR Citation:** 28 CFR 548.10 to 548.20

**Completed:**

Reason	Date	FR Cite
Final Action (Final Rule Comment Period End 10/21/97)	08/22/97	62 FR 44836
Final Action Effective	08/22/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655

**RIN:** 1120-AA17

**1839. ENGLISH AS A SECOND LANGUAGE PROGRAM**

**Priority:** Routine and Frequent

**CFR Citation:** 28 CFR 544.40 to 544.44

**Completed:**

Reason	Date	FR Cite
Final Action	07/24/97	62 FR 39916
Final Action Effective	07/24/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655

**RIN:** 1120-AA19

**1840. INMATE DISCIPLINE (GOOD CONDUCT TIME)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 28 CFR 541

**Completed:**

Reason	Date	FR Cite
Final Action	09/26/97	62 FR 50787
Final Action Effective	11/03/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655

**RIN:** 1120-AA34

## DOJ—BOP

## Completed Actions

**1841. POSTSECONDARY EDUCATION PROGRAMS****Priority:** Routine and Frequent**CFR Citation:** 28 CFR 544.20 to 544.23**Completed:**

Reason	Date	FR Cite
Final Action	05/07/97	62 FR 25100
Final Action Effective	05/07/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655**RIN:** 1120-AA35**1842. DRUG ABUSE TREATMENT PROGRAMS: EARLY RELEASE CONSIDERATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 28 CFR 550**Completed:**

Reason	Date	FR Cite
Final Action	09/26/97	62 FR 50787
Final Action Effective	11/03/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655**RIN:** 1120-AA36**1843. SCOPE OF RULES: NATIONAL SECURITY CONSIDERATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 28 CFR 501**Completed:**

Reason	Date	FR Cite
Final Action	06/20/97	62 FR 33730
Final Action Effective	06/20/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655**RIN:** 1120-AA47**1844. SCOPE OF RULES: PREVENTION OF ACTS OF VIOLENCE AND TERRORISM****Priority:** Substantive, Nonsignificant**CFR Citation:** 28 CFR 501.3**Completed:**

Reason	Date	FR Cite
Final Action	06/20/97	62 FR 33730
Final Action Effective	06/20/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655  
Fax: 202 307-0828**RIN:** 1120-AA54**1845. TRANSFER OF OFFENDERS TO OR FROM FOREIGN COUNTRIES****Priority:** Info./Admin./Other**CFR Citation:** 28 CFR 527**Completed:**

Reason	Date	FR Cite
Final Action	05/21/97	62 FR 27872
Final Action Effective	05/21/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic  
Phone: 202 514-6655  
Fax: 202 307-0828**RIN:** 1120-AA60**1846. • URINE SURVEILLANCE****Priority:** Routine and Frequent**Legal Authority:** 18 USC 3621 to 3622; 18 USC 3624; 18 USC 4001; 18 USC 4042; 18 USC 4081 to 4082; 18 USC 4251 to 4255; 18 USC 5006 to 5024; 18 USC 5039; 28 USC 509 to 510**CFR Citation:** 28 CFR 550**Legal Deadline:** None**Abstract:** This document allows for the use of discretion by staff in filing an incident report in instances where an inmate is unable to provide a specimen.**Timetable:**

Action	Date	FR Cite
Final Action	08/26/97	62 FR 45292
Final Action Effective	08/26/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Roy Nanovic, Rules Administrator, Department of Justice, Bureau of Prisons, HOLC Room 754, 320 First Street NW., Washington, DC 20534  
Phone: 202 514-6655  
Fax: 202 307-0828**RIN:** 1120-AA68**DEPARTMENT OF JUSTICE (DOJ)  
Civil Rights Division (CRT)****Proposed Rule Stage****1847. NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED PROGRAMS AND ACTIVITIES—IMPLEMENTATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972****Regulatory Plan:** This entry is Seq. No. 63 in Part II of this issue of the **Federal Register**.**RIN:** 1190-AA28**1848. PROCEDURES FOR THE ADMINISTRATION OF SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 28 USC 509 to 510; 42 USC 1973a(c); 42 USC 1973c**CFR Citation:** 28 CFR 51**Legal Deadline:** None**Abstract:** Revision of the procedures for the administration of section 5 is contemplated as a result of judicial decisions interpreting section 5 of the

Voting Rights Act, 42 U.S.C. 1973c, since the last major revision in 1987. Modifications are being considered to assure consistency with judicial interpretation and to assure that the section 5 review process continues to play its proper role in preventing denials or abridgements of the right to vote on account of race, color, or membership in a language minority group.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

## DOJ—CRT

## Proposed Rule Stage

Action	Date	FR Cite
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** David H. Hunter, Attorney, Department of Justice, Civil Rights Division, P.O. Box 66128, Washington, DC 20035

Phone: 202 307-2989

Fax: 202 307-3961

Email: david.h.hunter@usdoj.gov

**RIN:** 1190-AA35

## DEPARTMENT OF JUSTICE (DOJ) Civil Rights Division (CRT)

## Final Rule Stage

### 1849. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES; PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES; ACCESSIBILITY STANDARDS

**Regulatory Plan:** This entry is Seq. No. 64 in Part II of this issue of the **Federal Register**.

**RIN:** 1190-AA26

### 1850. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 12134; 5 USC 301; 28 USC 509; 28 USC 510; PL 101-336

**CFR Citation:** 28 CFR 35

**Legal Deadline:** None

**Abstract:** This proposed amendment would revise the Department's regulation implementing title II to clarify the requirement for installation of curb ramps at existing pedestrian walkways and to extend the time period for compliance beyond the current deadline of January 26, 1995. This amendment responds to public concerns about the unique and significant capital expense involved in the installation of curb ramps.

The amendment would establish a two-tier system under which public entities would be required to provide access to pedestrian walkways serving

government offices, public transportation, public accommodations, places of employment, and the residences of individuals with disabilities by January 26, 2000. Access to existing pedestrian walkways in other areas would be required by January 26, 2005. The proposed rule would require public entities to include a schedule for the implementation of these requirements in their transition plans.

#### Timetable:

Action	Date	FR Cite
NPRM	11/27/95	60 FR 58462
NPRM Comment Period End	01/26/96	
Comment Period Extended to 3/1/96	02/06/96	61 FR 4389
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John L. Wodatch, Chief, Disability Rights Section, Department of Justice, Civil Rights Division, P.O. Box 66738, Washington, DC 20035-6738

Phone: 800 514-0301

TDD: 800 514-0383

Fax: 202 307-1198

**RIN:** 1190-AA36

### 1851. AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES FOR BUILDINGS AND FACILITIES; CHILDREN'S FACILITIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 12186; 5 USC 301; 28 USC 509; PL 101-336; 28 USC 510

**CFR Citation:** 28 CFR 36

**Legal Deadline:** None

**Abstract:** On July 26, 1991, the Department published its final rules implementing titles II and III of the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability by public entities (title II) and in places of accommodation and commercial facilities (title III). Those regulations included accessibility guidelines but did not specifically include guidelines for facilities designed for children.

This rule amends the ADA Standards for Accessible Design to include guidelines based on children's dimensions and anthropometrics and applies to newly constructed and altered facilities that are designed for use primarily by children. The rule ensures that newly constructed and altered children's facilities are readily accessible to and usable by children with disabilities.

#### Timetable:

Action	Date	FR Cite
NPRM	07/22/96	61 FR 37964
NPRM Comment Period End	10/21/96	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** John L. Wodatch, Chief, Disability Rights Section, Department of Justice, Civil Rights Division, P.O. Box 66738, Washington, DC 20035-6738

Phone: 800 514-0301

TDD: 800 514-0383

Fax: 202 307-1198

**RIN:** 1190-AA38

**DEPARTMENT OF JUSTICE (DOJ)**  
**Civil Rights Division (CRT)**
**Long-Term Actions**
**1852. AMENDMENT TO  
NONDISCRIMINATION IN FEDERALLY  
ASSISTED PROGRAMS AND  
ACTIVITIES—IMPLEMENTATION OF  
TITLE VI OF THE CIVIL RIGHTS ACT  
OF 1964**
**Priority:** Other Significant**CFR Citation:** 28 CFR 42.101 to 42.112**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Merrily A.  
Friedlander

Phone: 202 307-2222

TDD: 202 307-2678

Fax: 202 307-0595

**RIN:** 1190-AA31
**1853. AMENDMENT TO  
COORDINATION OF ENFORCEMENT  
OF NONDISCRIMINATION IN  
FEDERALLY ASSISTED PROGRAMS—  
IMPLEMENTATION OF TITLE VI OF  
THE CIVIL RIGHTS ACT OF 1964**
**Priority:** Other Significant**CFR Citation:** 28 CFR 42.401 to 42.415**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Merrily A.  
Friedlander

Phone: 202 307-2222

TDD: 202 307-2678

Fax: 202 307-0595

**RIN:** 1190-AA32
**1854. IMPLEMENTATION OF THE  
PROVISIONS OF THE VOTING RIGHTS  
ACT REGARDING LANGUAGE  
MINORITY GROUPS**
**Priority:** Substantive, Nonsignificant**CFR Citation:** 28 CFR 55**Timetable:** Next Action Undetermined**Small Entities Affected:** Governmental  
Jurisdictions**Government Levels Affected:** State,  
Local**Agency Contact:** David H. Hunter

Phone: 202 307-2898

Fax: 202 307-3961

Email: david.h.hunter@usdoj.gov

**RIN:** 1190-AA39
**DEPARTMENT OF JUSTICE (DOJ)**  
**Civil Rights Division (CRT)**
**Completed Actions**
**1855. REDRESS PROVISIONS FOR  
PERSONS OF JAPANESE ANCESTRY:  
GUIDELINES UNDER ISHIDA V.  
UNITED STATES**
**Priority:** Other Significant**CFR Citation:** 28 CFR 74.3(b)(9)**Completed:**

Reason	Date	FR Cite
Final Action	04/24/97	62 FR 19928
Final Action Effective	05/27/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Tink D. Cooper

Phone: 202 219-6900

TDD: 202 219-4710

**RIN:** 1190-AA40
**DEPARTMENT OF JUSTICE (DOJ)**  
**Drug Enforcement Administration (DEA)**
**Proposed Rule Stage**
**1856. REMOVAL OF RESTRICTIONS  
ON EMPLOYING CERTAIN  
INDIVIDUALS**
**Priority:** Substantive, Nonsignificant**Reinventing Government:** This  
rulemaking is part of the Reinventing  
Government effort. It will revise text in  
the CFR to reduce burden or  
duplication, or streamline  
requirements.**Legal Authority:** 21 USC 822**CFR Citation:** 21 CFR 1301.76(a)**Legal Deadline:** None**Abstract:** This rule removes certain  
restrictions on the employment by  
registrants of individuals convicted of  
a felony offense relating to controlled  
substances, persons denied DEA  
registration or who had it revoked for  
cause.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Undetermined**Government Levels Affected:**  
Undetermined**Additional Information:** DEA-118**Agency Contact:** G. Thomas Gitchel,  
Chief, Liaison and Policy Section,  
Office of Diversion Control, Department  
of Justice, Drug Enforcement  
Administration, Washington, DC 20537  
Phone: 202 307-7297**RIN:** 1117-AA28
**1857. EXEMPTION OF CHEMICAL  
MIXTURES**
**Priority:** Substantive, Nonsignificant**Reinventing Government:** This  
rulemaking is part of the Reinventing  
Government effort. It will revise text in  
the CFR to reduce burden or  
duplication, or streamline  
requirements.**Legal Authority:** 21 USC 802; 21 USC  
830; 21 USC 871(b)**CFR Citation:** 21 CFR 1310**Legal Deadline:** None**Abstract:** The Domestic Chemical  
Diversion Control Act of 1993 removed  
the exemption from regulation for  
chemical mixtures. Chemical mixtures  
are now regulated, unless specifically  
exempted by the Administrator. In the  
proposed rule regarding the  
implementation of the Domestic  
Chemical Diversion Control Act of  
1993, DEA proposed regulations  
regarding exemption of chemical  
mixtures. Based on industry comments,  
the proposed regulations were  
subsequently withdrawn for  
reassessment and consultation with  
industry. Based on extensive  
consultations with industry, DEA will  
publish proposed regulations intended  
to establish the least possible burden  
on industry while remaining consistent  
with the requirements of the law.



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## Proposed Rule Stage

## Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA-137

**Agency Contact:** Howard McClain, Jr., Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7183

**RIN:** 1117-AA31

#### 1858. SEPARATE REGISTRATIONS FOR SEPARATE LOCATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 821; 21 USC 822

**CFR Citation:** 21 CFR 1301.23

**Legal Deadline:** None

**Abstract:** DEA is proposing amending 21 CFR 1301.23 to clarify the requirement that a physician must obtain a separate registration for each state in which he/she practices.

## Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA 149P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297  
Fax: 202 307-8570

**RIN:** 1117-AA39

#### 1859. GUIDELINES FOR PROVIDING CONTROLLED SUBSTANCES TO OCEAN VESSELS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 871(b)

**CFR Citation:** 21 CFR 1301.28

**Legal Deadline:** None

**Abstract:** DEA is considering whether to propose amending its regulations regarding the supply of controlled substances to ocean vessels to provide a means of supply more consistent with current industry practices for other materials. The decision on whether to propose amendments will be based on the information and comments submitted in response to this advance notice of proposed rulemaking and DEA's experience with the existing procedures and practices for supplying controlled substances to ocean vessels.

## Timetable:

Action	Date	FR Cite
ANPRM	09/18/96	61 FR 49086
ANPRM Comment	11/18/96	
Period End		
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA Number 142N

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297  
Fax: 202 307-8570

**RIN:** 1117-AA40

#### 1860. RESTRICTION OF IMPORT/EXPORT REQUIREMENTS FOR PERSONAL MEDICAL USE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 952; 21 USC 956 to 958

**CFR Citation:** 21 CFR 1311.27

**Legal Deadline:** None

**Abstract:** DEA is proposing to amend title 21, Code of Federal Regulations, Section 1311.27 to restrict the quantity of controlled substances that may be carried for personal medical use by an individual entering the United States (U.S.) to an amount consistent with the individual's travel. This action is being taken in response to problems with the misuse of the personal medical use exemption as a means to obtain and import controlled substances into the United States in a manner inconsistent with the intent of the law. The amended regulations will allow individuals to carry a supply of controlled substances sufficient to meet their health needs during their travels

while preventing the misuse of the exemption.

## Timetable:

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA-151P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297  
Fax: 202 307-8570

**RIN:** 1117-AA41

#### 1861. LISTED CHEMICALS; PROPOSED THRESHOLDS FOR IODINE AND HYDROCHLORIC GAS (HYDROGEN CHLORIDE GAS)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 802; 21 USC 871(b); PL 104-237 Comprehensive Methamphetamine Control Act of 1996

**CFR Citation:** 21 CFR 1310

**Legal Deadline:** None

**Abstract:** The Comprehensive Methamphetamine Control Act of 1996 (MCA) establishes that, effective October 3, 1996, Iodine (in its pure crystal form; mixtures such as tincture of iodine and other household products remain exempt from regulation) and Hydrochloric Gas are List II chemicals under the Controlled Substances Act (CSA). The inclusion of these chemicals under the CSA requires that each regulated person must keep records and make reports as specified in title 21, Code of Federal Regulation part 1310. The MCA applied the recordkeeping and reporting requirements to all transactions involving Iodine and Hydrochloric Gas.

This notice proposes to establish a domestic threshold of 0.4 kilograms for iodine, thus providing an exemption for transactions below this level, which would include the vast majority of retail sales. Legitimate commerce in Hydrochloric Gas consists almost exclusively of large volume transactions to commercial customers. However, clandestine methamphetamine laboratories often make use of small volumes of this gas, and, therefore, an effective threshold could not be

## DOJ—DEA

## Proposed Rule Stage

established. In those rare cases where legitimate users purchase small quantities, principally for research or scientific purposes, the recordkeeping and reporting requirements will apply only to the distributor; the purchasers will not be subject to the requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	09/30/97	62 FR 51072
NPRM Comment Period End	12/01/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA-156P

**Agency Contact:** Frank Sapienza, Chief, Drug & Chemical Evaluation Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7183  
Fax: 202 307-8570

**RIN:** 1117-AA43

#### 1862. • IMPLEMENTATION OF THE MCA; REGULATION OF PSEUDOEPHEDRINE, PHENYLPROPANOLAMINE, AND COMBINATION EPHEDRINE DRUG PRODUCTS AND REPORTS OF CERTAIN TRANSACTIONS TO NONREGULATED PERSONS

**Priority:** Other Significant

**Legal Authority:** 21 USC 802; 21 USC 821 TO 824; 21 USC 830; 21 USC 871(b); 21 USC 875; 21 USC 877; 21 USC 951; 21 USC 958

**CFR Citation:** 21 CFR 1300; 21 CFR 1309; 21 CFR 1310

**Legal Deadline:** None

**Abstract:** DEA is proposing amending its regulations to implement the

requirements of the Comprehensive Methamphetamine Control Act of 1996 (MCA) establishing pseudoephedrine, phenylpropanolamine, and combination ephedrine drug products as List I chemicals, and the MCA requirement that reports be submitted for certain distributions to nonregulated persons involving pseudoephedrine, phenylpropanolamine, and ephedrine, including drug products containing those chemicals. The MCA establishes pseudoephedrine, phenylpropanolamine, and combination ephedrine products as regulated List I chemicals, and requires that reports of certain distributions to nonregulated persons be reported each month.

To minimize the impact of the new law, DEA is proposing to exempt retail distributors from the registration requirement. This exemption will provide the estimated 750,000 retail distributors with relief from the chemical control requirements of the regulations, including registration. Additionally, the existing exemptions from registration for CSA registrants and for distributors of prescription drug products will help minimize the impact of the requirements on other handlers of the products.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA number 163P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297

Fax: 202 307-8570

**RIN:** 1117-AA44

#### 1863. • REMOVAL OF ADVANCE NOTICE REQUIREMENT FOR CERTAIN CHEMICAL IMPORTATIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 802; 21 USC 830; 21 USC 871(b); 21 USC 971

**CFR Citation:** 21 CFR 1313

**Legal Deadline:** None

**Abstract:** DEA is proposing to amend its regulations to waive the 15 day advance notice requirement for importations of certain chemicals for which such notice is not required in advance for effective enforcement of the chemical controls. Importers will be required to furnish summary reports of such importations on a quarterly basis.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA number 165P

**Agency Contact:** William Wolf, Chief, Chemical Operations Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7204  
Fax: 202 307-8570

**RIN:** 1117-AA45

## DEPARTMENT OF JUSTICE (DOJ)

## Final Rule Stage

## Drug Enforcement Administration (DEA)

#### 1864. DEFINITION AND REGISTRATION OF DISPOSERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 821; 21 USC 822; 21 USC 823; 21 USC 824; 21 USC 871(b); 21 USC 875; 21 USC 877

**CFR Citation:** 21 CFR 1301

**Legal Deadline:** None

**Abstract:** In years past, most pharmaceutical manufacturers and wholesalers, as a service to their customers, accepted returns of outdated/damaged merchandise. Also, agencies such as DEA and state Boards of Pharmacy accepted surrendered drugs or witnessed their disposal by controlled substance registrants. Over the past several years, environmental

concerns and regulations have eliminated many of the disposal options which had been available. As a result, drug producers and government agencies alike are increasingly reluctant to be involved in the disposal process. Due to these factors and the time and resources expended by DEA and manufacturers, a disposer registration has become an

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## Final Rule Stage

essential link in the legitimate distribution chain. Therefore, DEA is proposing the establishment of a new category of controlled substance registrant as a disposer.

**Timetable:**

Action	Date	FR Cite
NPRM	08/23/95	60 FR 43732
NPRM Comment Period End	10/23/95	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA 108

**Agency Contact:** James A. Pacella, Chief, Policy Unit, Office of Diversion Control, Department of Justice, Drug Enforcement Administration, Washington, DC 20537  
Phone: 202 307-7297

**RIN:** 1117-AA19

#### 1865. REGISTRATION AND REREGISTRATION APPLICATION FEES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 802; 21 USC 821; 21 USC 822; 21 USC 871(b)

**CFR Citation:** 21 CFR 1301

**Legal Deadline:** None

**Abstract:** In furtherance of the DEA's 1992 final rule regarding the increase of application fees (57 FR 60148), DEA is publishing this explanation of the components of the diversion control program.

**Timetable:**

Action	Date	FR Cite
Final Rule Republished for Further Comment	12/30/96	61 FR 68624
Comment Period End	03/31/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA Number 140P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department

of Justice, Drug Enforcement Administration  
Phone: 202 307-7297

**RIN:** 1117-AA34

#### 1866. ESTABLISHMENT OF FREIGHT FORWARDING FACILITIES

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 21 USC 821 to 824; 21 USC 827; 21 USC 871(b); 21 USC 875; 21 USC 877; 21 USC 958(d); 21 USC 965

**CFR Citation:** 21 CFR 1301; 21 CFR 1304

**Legal Deadline:** None

**Abstract:** DEA is proposing to amend its regulations to define the term Freight Forwarding Facility and to exempt such facilities from the requirement of registration, in response to industry requests for recognition of such facilities. The proposed amendments will establish the regulatory guidelines under which registrants may utilize a freight forwarding facility while shipping controlled substances to another registrant.

**Timetable:**

Action	Date	FR Cite
NPRM	12/18/96	61 FR 66637
NPRM Comment Period End	02/28/97	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA Number 143P

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297  
Fax: 202 307-8570

**RIN:** 1117-AA36

#### 1867. TEMPORARY EXEMPTION FROM CHEMICAL REGISTRATION REQUIREMENTS FOR DISTRIBUTIONS OF COMBINATION EPHEDRINE PRODUCTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 21 USC 871(b); PL 104-237 Comprehensive Methamphetamine Control Act of 1996; 21 USC 822(d); 21 USC 957(b)(2)

**CFR Citation:** 21 CFR 1309; 21 CFR 1310; 21 CFR 1313

**Legal Deadline:** None

**Abstract:** DEA is amending its regulations to incorporate certain changes to the Controlled Substances Act made by the Comprehensive Methamphetamine Control Act of 1996 (MCA) and to provide temporary exemption from registration for persons who distribute combination ephedrine products. The MCA established the requirement that, effective October 3, 1996, persons who distribute combination ephedrine products shall be subject to the registration requirement. To avoid interruption in the legitimate distribution of these products, DEA is amending the regulations to provide a temporary exemption from registration pending promulgation of regulations regarding registration for such activities and issuance of such registrations.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/11/97	62 FR 5914
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** DEA-154I

**Agency Contact:** G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Department of Justice, Drug Enforcement Administration  
Phone: 202 307-7297  
Fax: 202 307-8570

**RIN:** 1117-AA42

**DEPARTMENT OF JUSTICE (DOJ)**  
**Drug Enforcement Administration (DEA)**
**Long-Term Actions****1868. REPORTING ON PSYCHOTROPIC SUBSTANCES****Priority:** Substantive, Nonsignificant**CFR Citation:** 21 CFR 1304**Timetable:**

Action	Date	FR Cite
NPRM	10/18/93	58 FR 53680
NPRM Comment Period End	12/17/93	
Next Action Undetermined		

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** James A. Pacella  
Phone: 202 307-7297**RIN:** 1117-AA22
**DEPARTMENT OF JUSTICE (DOJ)**  
**Drug Enforcement Administration (DEA)**
**Completed Actions****1869. PRESCRIPTIONS FOR CONTROLLED SUBSTANCES, REQUIREMENTS FOR USE OF AUTOMATED DATA PROCESSING SYSTEMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 21 CFR 1306.21; 21 CFR 1306.22; 21 CFR 1306.26; 21 CFR 1306.31**Completed:**

Reason	Date	FR Cite
Withdrawn - Superseded by RIN 1117-AA15 & RIN 1117-AA33	08/01/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** G. Thomas Gitchel  
Phone: 202 307-7297**RIN:** 1117-AA03**Completed:**

Reason	Date	FR Cite
End Review - Superseded by Comprehensive Methamphetamine Control Act	10/03/96	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Howard McClain, Jr.  
Phone: 202 307-7183  
Fax: 202 307-8570**RIN:** 1117-AA37
**DEPARTMENT OF JUSTICE (DOJ)**  
**Executive Office for Immigration Review (EOIR)**
**Proposed Rule Stage****1871. DISCIPLINE OF ATTORNEYS AND REPRESENTATIVES****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 8 USC 1103; 8 USC 1252b; 8 USC 1362**CFR Citation:** 8 CFR 3; 8 CFR 292**Legal Deadline:** None**Abstract:** This rule amends 8 CFR parts 3 and 292 by changing both the present procedures for disciplining attorneys and representatives who practice before the Executive Office for Immigration Review, which includes the Board of Immigration Appeals and the Immigration Courts, and the procedures for disciplining attorneys and representatives who practice before the Immigration and Naturalization Service (INS). This rule also includes a provision which was promulgated as an interim rule on April 6, 1992, pursuant

to section 545 of the Immigration Act of 1990, Public Law 101-649 (IMMACT), concerning sanctions against attorneys or representatives who engage in frivolous behavior in immigration proceedings. This rule outlines the authority of EOIR to investigate and impose disciplinary sanctions against attorneys and representatives who practice before its tribunals. The rule clarifies the authority of the INS to investigate complaints regarding attorneys and representatives who practice before the INS and outlines the procedures by which the INS may initiate disciplinary proceedings before EOIR against practitioners who practice before the INS.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
NPRM Comment Period End	02/00/98	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
Phone: 703 305-0470**RIN:** 1125-AA13**1872. • OFFICE OF CHIEF ADMINISTRATIVE HEARING OFFICER; ADMINISTRATIVE LAW JUDGES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 5 USC 554; 8 USC 1103; 8 USC 1324a; 8 USC 1324b; 8 USC 1324c**CFR Citation:** 28 CFR 68.1 to 54**Legal Deadline:** None**Abstract:**

The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), enacted on September 30, 1996, amends the employer sanctions, unfair immigration-related employment practices and document fraud sections of the Immigration and Nationality Act (INA) in several ways (sections 274A,

## DOJ—EOIR

## Proposed Rule Stage

274B and 274C of the INA, respectively). The Debt Collection Improvement Act mandates that the civil penalties in each of these three sections of the INA be adjusted to reflect inflation. Finally, the Office of the Chief Administrative Hearing Officer has examined its regulations and is making various changes perceived as necessary in light of case-by-case experience since the 1991 amendments to its regulations. All of the changes to the OCAHO regulations set forth herein are designed to make the regulations comport with one of the aforementioned statutes, clarify an existing ambiguity, and/or similarly contribute to the fair and efficient administration of sections 274A, 274B and 274C of the INA.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041

Phone: 703 305-0470

**RIN:** 1125-AA17

### 1873. • AUTHORITY OF IMMIGRATION JUDGES TO ISSUE CIVIL MONEY PENALTIES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1252 note; 8 USC 1252b; 8 USC 1362; 28 USC 509; 28 USC 510; 28 USC 1746; Reorg. Plan No. 2 of 1950, sec 2; 3 CFR, 1949 to 1953 Comp, p 1002

**CFR Citation:** 8 CFR 1; 8 CFR 3

**Legal Deadline:** None

**Abstract:**

This rule proposes to amend the regulations by implementing the statutory authority given to Immigration Judges to sanction by civil money penalty any action or inaction in contempt of the Judge's proper exercise of authority. This statutory authority is derived from section 304 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. 104-208 (IIRIRA), signed by President Clinton on September 30, 1996. This rule sets forth the types of conduct for which civil money penalty sanctions

may be imposed, the procedures for imposing these sanctions, the affirmative defenses which may excuse the imposition of a civil money penalty sanction, and the procedures for appealing such sanctions. The rule also adds an additional ground for disciplinary sanctions under 8 CFR section 3.52 for engaging in a pattern and practice of conduct which has been found to be in contempt of the Immigration Judge's proper exercise of authority. In addition, this rule amends the definition of "Immigration Judge" in part 1 to reflect the new definition in section 371(a) of IIRIRA.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
Phone: 703 305-0470  
Fax: 703 305-0443

**RIN:** 1125-AA18

## DEPARTMENT OF JUSTICE (DOJ)

## Final Rule Stage

## Executive Office for Immigration Review (EOIR)

### 1874. RULES CONCERNING CONDITIONAL PERMANENT RESIDENCE FOR ALIEN ENTREPRENEURS IN DEPORTATION PROCEEDINGS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1252 note; 8 USC 1252b; 8 USC 1362; 28 USC 509; 28 USC 510; 28 USC 1746; Reorg. Plan No. 2 of 1950, sec 2; 3 CFR, 1949 to 1953 Comp, p 1002

**CFR Citation:** 8 CFR 3

**Legal Deadline:** None

**Abstract:** The Immigration Act of 1990 provides that an alien entrepreneur and his or her family may obtain lawful permanent residence on a conditional basis, subject to the requirements of a timely petition and interview for removal of the condition two years after obtaining such status. Termination of such status is made reviewable in deportation proceedings before an

Immigration Judge. This rule sets forth the procedures that an Immigration Judge will follow in reviewing the termination by the Immigration and Naturalization Service of conditional permanent resident status of alien entrepreneurs and their families.

**Timetable:**

Action	Date	FR Cite
NPRM	11/12/93	58 FR 59953
NPRM Comment Period End	12/13/93	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
Phone: 703 305-0470

**RIN:** 1125-AA02

### 1875. • CONDITIONAL GRANTS OF SUSPENSION OF DEPORTATION AND CANCELLATION OF REMOVAL

**Priority:** Other Significant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1186a; 8 USC 1224 to 1227; 8 USC 1251 to 1252

**CFR Citation:** 8 CFR 240

**Legal Deadline:** None

**Abstract:** On September 30, 1996 Congress enacted the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, PL 104-208 (IIRIRA). Under section 304(a)(3), the Attorney General may not cancel the removal and adjust the status under section 240A(b) of the Immigration and Nationality Act (Act), nor suspend the deportation and adjust the status under section 244(a) of the Act of a total of more than 4,000 aliens in a fiscal year. This rule provides the necessary procedures for the processing of suspension of deportation and

## DOJ—EOIR

## Final Rule Stage

cancellation of removal cases while it is determined how the numerical limitation will be implemented.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	10/01/97	
Interim Final Rule	10/03/97	62 FR 57760

Action	Date	FR Cite
Interim Final Rule Comment Period End	12/01/97	
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin, General Counsel, Department of Justice, Executive Office for Immigration Review, Suite 2400, 5107 Leesburg Pike, Falls Church, VA 22041  
Phone: 703 527-0470

**RIN:** 1125-AA19

## DEPARTMENT OF JUSTICE (DOJ)

## Completed Actions

## Executive Office for Immigration Review (EOIR)

## 1876. FEES FOR MOTION TO REOPEN OR RECONSIDER

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 3; 8 CFR 103; 8 CFR 242

**Completed:**

Reason	Date	FR Cite
Final Action	08/26/97	62 FR 45148
Final Action Effective	09/25/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin  
Phone: 703 305-0470  
Fax: 703 305-0443

**RIN:** 1125-AA15

## 1877. REPRESENTATION AND APPEARANCES: LAW STUDENTS AND LAW GRADUATES

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 292

**Completed:**

Reason	Date	FR Cite
Final Action	05/01/97	62 FR 23634
Final Action Effective	06/02/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Margaret M. Philbin  
Phone: 703 305-0470  
Fax: 703 305-0443  
Janice B. Podolny  
Phone: 202 514-2895

**RIN:** 1125-AA16

## DEPARTMENT OF JUSTICE (DOJ)

## Completed Actions

## General Administration (DOJADM)

## 1878. SUPPLEMENTAL STANDARDS OF ETHICAL CONDUCT FOR EMPLOYEES OF THE DEPARTMENT OF JUSTICE

**Priority:** Info./Admin./Other

**CFR Citation:** 5 CFR 3801 (New); 28 CFR 45 (Removal)

**Completed:**

Reason	Date	FR Cite
Final Action	05/02/97	62 FR 23941
Final Action Effective	05/02/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Rafael Alberto Madan  
Phone: 202 514-3452

**RIN:** 1103-AA25

## DEPARTMENT OF JUSTICE (DOJ)

## Prerule Stage

## Immigration and Naturalization Service (INS)

## 1879. • NEW RULES REGARDING PROCEDURES FOR ASYLUM AND WITHHOLDING OF REMOVAL

**Priority:** Other Significant

**Legal Authority:** 8 USC 1103; 8 USC 1158; 8 USC 1226; 8 USC 1252; 8 USC 1252 note; 8 USC 1252b; 8 USC 1253; 8 USC 1282; 8 USC 1283; 31 USC 9701; 8 CFR 2

**CFR Citation:** 8 CFR 208

**Legal Deadline:** NPRM, Statutory, November 1997. Final, Statutory, December 1997.

**Abstract:** This rule proposes to amend the Immigration and Naturalization Services regulations that govern asylum and withholding of removal. This rule clarifies that, in cases where the applicant has established past persecution, the Attorney General may deny asylum in the exercise of discretion, if it is established by a

preponderance of the evidence that the applicant does not face a reasonable possibility of future persecution in the applicant's country of nationality or, if stateless, the applicant's country of last habitual residence.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/00/97	
NPRM	11/00/97	

## DOJ—INS

## Prerule Stage

Action	Date	FR Cite
Interim Final Rule	02/00/98	
Final Action	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1865-97

**Agency Contact:** Christine Davidson, Senior Policy Analyst, Asylum Division, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Attn: Ullico Bldg. 3rd Floor, Washington DC 20536

Phone: 202 633-1024

Bo Cooper, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington DC 20536

**RIN:** 1115-AE93

## DEPARTMENT OF JUSTICE (DOJ)

## Proposed Rule Stage

## Immigration and Naturalization Service (INS)

### 1880. REVISED GROUNDS OF INADMISSIBILITY, WAIVERS FOR IMMIGRANTS AND NONIMMIGRANTS, AND EXCEPTIONS

**Regulatory Plan:** This entry is Seq. No. 65 in Part II of this issue of the **Federal Register**.

**RIN:** 1115-AB45

underway to develop new standardized examinations and comprehensive study materials for applicants.

No major changes will be considered until the Coopers and Lybrand Business Process Re-engineering Study is completed and reviewed by the INS Office of General Counsel.

**Timetable:**

Action	Date	FR Cite
NPRM	09/00/98	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal  
**Additional Information:** INS No. 1275-93

**Agency Contact:** Craig Howie, Staff Officer, Naturalization, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AD52

### 1881. REDUCTION OF THE NUMBER OF ACCEPTABLE DOCUMENTS AND OTHER CHANGES TO EMPLOYMENT VERIFICATION REQUIREMENTS

**Regulatory Plan:** This entry is Seq. No. 66 in Part II of this issue of the **Federal Register**.

**RIN:** 1115-AB73

### 1882. EDUCATIONAL REQUIREMENTS FOR NATURALIZATION

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1423; 8 USC 1443; 8 USC 1447; 8 USC 1448

**CFR Citation:** 8 CFR 312

**Legal Deadline:** None

**Abstract:** The Immigration and Naturalization Service (INS) is considering amending part 312 in its entirety to address certain changes to the testing requirements under the Immigration and Nationality Technical Corrections Act of 1994 (P.L. 103-416) and to revise and strengthen the current system for approving testing entities to administer standardized tests of U.S. history and government and written English for persons applying to become naturalized citizens of the United States. Concurrent efforts are also

### 1883. NONIMMIGRANT CLASSES; DIPLOMAT AND GOVERNMENT REPRESENTATIVES; TRANSITS; REQUIREMENTS FOR ADMISSION, EXTENSION AND MAINTENANCE OF STATUS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule clarifies employment and travel limitations for diplomats and representatives of international organizations, including the United Nations. The rule will be undertaken as a result of a working relationship between the INS and the

Department of State. The United States Mission to the United Nations will participate in drafting regulations pertaining to the United Nations Headquarters District.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1631  
INS No. 1706 (RIN 1115-AE05) will be incorporated in this rulemaking.

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AD57

### 1884. NONIMMIGRANT CLASSES; S CLASSIFICATION; LAW ENFORCEMENT INITIATIVES; ALIEN WITNESSES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 USC 1324a; 8 CFR 2

**CFR Citation:** 8 CFR 212; 8 CFR 214; 8 CFR 274a; 8 CFR 299; 8 CFR 103

**Legal Deadline:** None

**Abstract:** Two regulatory initiatives dealing with the processing of alien witnesses have been prepared by the INS. INS No. 1683-94 provides the application and approval process for the admission of aliens in S nonimmigrant classification. It provides guidance to the various law enforcement agencies needing alien witnesses and informants to complete

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critical law enforcement initiatives in the United States. INS no. 1728-95 establishes a fee for the processing of Form I-854, Inter-Agency Alien Witness and Informant Record, for Law Enforcement Agency (LEA) requests for S nonimmigrant classification for eligible alien witnesses and informants. The fee recovers the costs of the processing of requests for immigration benefits, and is needed to comply with specific Federal immigration laws and Federal user fee statute and regulations.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS No. 1683) Eff. 8/25/95; Comment Period End 12/4/95	08/25/95	60 FR 44260
Interim Final Rule (INS No. 1683) Correction	10/05/95	60 FR 52068
Interim Final Rule (INS No. 1683) Correction	10/05/95	60 FR 52248
Final Rule (INS No. 1683)	03/00/98	
NPRM (INS No. 1728)	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal, Federal

**Additional Information:** INS No. 1683-94; and INS No. 1728-95. Form I-854 is being revised and the effect of IIRIRA is being assessed.

**Agency Contact:** Katherine A. Lorr, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AD86

### 1885. INSPECTION OF ALIEN CREW MEMBERS; 90-DAY WAIVER

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1184; 8 USC 1258; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 235; 8 CFR 252

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the Immigration and Naturalization Service ("the Service") regulations by establishing a procedure whereby bona fide alien crewmen actively serving on

board a maritime ferry or a maritime commercial cruise ship may, at the discretion of the Service, be inspected one time during every 90-day period during which the cruise ship conducts operations between Ports-Of-Entry (POEs) in the United States and a foreign country. This rule is necessary in order for the Service to formally codify the long-standing practice of authorizing certain maritime crewmen landing privileges in the United States without further inspection during the intervening time between 90-day full-crew inspections.

**Timetable:**

Action	Date	FR Cite
NPRM	08/15/97	62 FR 43676
NPRM Comment Period End	10/14/97	
Final Action	06/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1695-95

**Agency Contact:** Catherine Paler-Amaya, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536

Phone: 202 305-4803

**RIN:** 1115-AD95

### 1886. EMPLOYMENT AUTHORIZATION DOCUMENT APPLICATIONS AND PROCESS

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1324a; 8 CFR 2

**CFR Citation:** 8 CFR 274a

**Legal Deadline:** None

**Abstract:** A final rule (INS No. 1399-96) introducing and authorizing centralized production of a new more secure and fraud-resistant EAD Card or Form I-766 was published in the Federal Register at 61 FR 46534 on September 4, 1996. Centralized production of this new EAD card will be performed by one or more INS Service Centers. Also, an employment authorization document (EAD) application and proposed rule is planned pending Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) regulatory initiatives and related policy actions. The proposed rule will provide a more

efficient process for centralized production of the new EAD card.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is a paperwork burden associated with this action.

**Additional Information:** INS No. 1707

**Agency Contact:** MayBurn Deboe, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AE06

### 1887. ELIGIBILITY OF PERSONS FOR REFUGEE STATUS AND WITHHOLDING OF DEPORTATION; ELIMINATION OF PAROLE REVIEW PROGRAM FOR EXCLUDABLE MARIEL CUBANS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1158; 8 USC 1182; 8 USC 1184; 8 USC 1187; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1282; 8 CFR 2; 31 USC 9701

**CFR Citation:** 8 CFR 208; 8 CFR 212

**Legal Deadline:** None

**Abstract:** This rule would amend two of the existing sections of 8 CFR governing eligibility for refugee status and one of the sections governing eligibility for withholding of deportation. It also would modify sections pertaining to the parole review program for excludable Mariel Cubans.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1752

Additional INS contact Bo Cooper

**Agency Contact:** Scott Busby, Assistant General Counsel, General Counsel, Department of Justice, Immigration and



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Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536

Phone: 202 514-2895

RIN: 1115-AE30

**1888. ENTRY AND EXCLUSION PROVISIONS; ARRIVAL AND DEPARTURE MANIFESTS AND LISTS; INSPECTION OF PERSONS APPLYING FOR ADMISSION; USER FEE REQUIREMENTS FOR IN-TRANSIT PASSENGERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1221; 8 USC 1228; 8 USC 1229

**CFR Citation:** 8 CFR 231

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the Immigration and Naturalization Service regulations by requiring all carriers to submit Form I-94, Arrival-Departure Record, for all international-to-international IITI transiting passengers formerly known as in-transit lounge (ITL) passengers. This rule also proposes Service regulations regarding the inspection of ITI passengers by codifying ITI inspection procedures and carrier requirements.

This rule further proposes that the Attorney General charge and collect a user fee from every individual arriving aboard a commercial aircraft or commercial vessel from foreign locations, except those individuals arriving from Mexico, Canada, and the adjacent islands by means other than commercial aircraft.

Furthermore, this rule notifies concerned parties that the Service process to increase the amount of liquidated damages imposed on carriers for violations of the Immediate and Continuous Transit Agreement, better known as the Transit Without Visa (TWOV) Agreement, on Form I-426, to \$3000.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1757 Changes to section 235 by IIRIRA of 1996 requires regulations to be altered. Discussions must be held at

Headquarters, Inspections Division to determine course of action.

**Agency Contact:** Robert F. Hutnick, Assistant Chief Inspector, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 616-7499

RIN: 1115-AE37

**1889. CONTRACTS WITH TRANSPORTATION LINES; LIMITING TRANSFERS OF TRANSIT WITHOUT VISA ALIENS IN THE UNITED STATES TO ONE ELECTRONIC TICKETING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1228; 8 CFR 2

**CFR Citation:** 8 CFR 238

**Legal Deadline:** None

**Abstract:** This rule will limit the number of stops for Transit Without Visa (TWOV) applicants in the United States to one. It will allow TWOV passengers to present other than airline tickets to inspectors as evidence of continued transit through the United States.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1766

**Agency Contact:** Robert Hutnick, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-2694

RIN: 1115-AE41

**1890. EXAMINATIONS FEE ACCOUNT SCHEDULE**

**Priority:** Other Significant

**Legal Authority:** 8 USC 1356; PL 100-459; 31 USC 9701; PL 82-137; PL 100-459; PL 101-515; PL 101-567

**CFR Citation:** 8 CFR 103.7

**Legal Deadline:** Final, Statutory, January 1, 1998.

**Abstract:** Proposed rule rescinded and other related services provided at no charge.

INS No. 1768 proposes to adjust the Immigration Examinations Fee account to reflect the cost of providing immigration and naturalization services, plus surcharges for the Asylum Program, as directed by Congress. The fee adjustment is necessary to comply with Federal statutes and Federal cost accounting standards. Implementation of this rule will ensure that sufficient funds are available for immigration and naturalization services, the Asylum Program, and to improve the quality of services provided to users.

**Timetable:**

Action	Date	FR Cite
NPRM (INS No. 1768)	02/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1768

**Agency Contact:** Michael Natchuras, Chief, Fee Policy and Rate Setting Branch, Budget, Office of Management, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6240, Washington, DC 20536

Phone: 202 616-2754

RIN: 1115-AE42

**1891. JUDICIAL REVIEW OF DECISIONS OF THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW AND THE IMMIGRATION AND NATURALIZATION SERVICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 301; 8 USC 1103; 8 USC 1242 note; 8 USC 1324b; 28 USC 509; 28 USC 510; 28 USC 1746

**CFR Citation:** 8 CFR 3; 8 CFR 103

**Legal Deadline:** None

**Abstract:** This rule amends the Executive Office of Immigration Review (EOIR) and the Immigration and Naturalization Service (Service) regulations specifically when an administration decision under the Immigration and Nationality Act is final for purpose of judicial review under the Administrative Procedures Act.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

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**Agency Contact:** Margaret M. Philbin, General Counsel, Executive Office of Immigration Review, Department of Justice, Immigration and Naturalization Service, 5107 Leesburg Pike Suite 2400, Falls Church, VA 22401  
Phone: 703 305-0470

**RIN:** 1115-AE46

### 1892. PETITIONING REQUIREMENTS FOR THE H NONIMMIGRANT CLASSIFICATION

**Priority:** Routine and Frequent

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214; 8 CFR 274

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the INS regulations to accommodate the need of certain U.S. workers. Specifically, this rule proposes to amend the Service's regulations with respect to the submission of itineraries and labor condition applications.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	
Interim Final Rule	04/00/98	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

**Additional Information:** INS No. 1769-96

**Agency Contact:** John W. Brown, Staff Officer, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-3240

**RIN:** 1115-AE52

### 1893. CANADIAN BORDER BOAT LANDING PROGRAM

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252

**CFR Citation:** 8 CFR 235.1(e)

**Legal Deadline:** None

**Abstract:** This rule clarifies and standardizes procedures for the application, issuance and use of Form I-68, Canadian Border Boat Landing Card.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/11/97	62 FR 47749
NPRM Comment Period End	11/10/97	
Final Action	06/00/98	
Final Action Effective	09/11/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1796-96

**Agency Contact:** Ronald J. Hays, Staff Officer, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-0912

**RIN:** 1115-AE53

### 1894. CHARGING OF FEES FOR MEXICAN BORDER CROSSING CARDS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252a; 8 USC 1304; 8 USC 1356; 31 USC 9701

**CFR Citation:** 8 CFR 102; 8 CFR 212; 8 CFR 235; 8 CFR 264; 8 CFR 286

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the regulations to allow the Immigration and Naturalization Service (INS Service) to charge a fee for the processing and issuance of Mexican Border Crossing Cards (BCCs), Form I-586.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1773-96

**Agency Contact:** Ronald J. Hays, Assistant Chief Inspector, Inspections, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-0912  
Fax: 202 514-8345

**RIN:** 1115-AE54

### 1895. CORPORATE REORGANIZATIONS (MERGERS AND ACQUISITIONS) AND E, H, L NONIMMIGRANT CLASSIFICATION

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1282; 8 CFR 2

**CFR Citation:** 8 CFR 214.1(h)

**Legal Deadline:** None

**Abstract:** The Service solicits comments on establishing policy and administrative procedure for simplifying the processing of nonimmigrant temporary workers involved in mergers, acquisitions consolidations or other corporate restructurings. Streamlining Service Center procedures in this respect is in the public interest in light of increased numbers of corporate reorganizations anticipated in the future.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1797-96

**Agency Contact:** Katherine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-5014  
Fax: 202 514-0198

**RIN:** 1115-AE55

### 1896. PETITION FOR EMPLOYMENT CREATION ALIENS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1183; 8 USC 1184; 8 USC 1186a; 8 USC 1186b; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226

**CFR Citation:** 8 CFR 204; 8 CFR 216; 8 CFR 235

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**Legal Deadline:** None

**Abstract:** The Service solicits comments on necessary policy and administrative procedure for resolving current regulatory concerns regarding immigrant investors.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1798-96

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-5014  
Fax: 202 514-0198

**RIN:** 1115-AE56

### 1897. SUSPENSION OF PRIVILEGE TO TRANSPORT ALIENS TO THE UNITED STATES

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1187; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1252

**CFR Citation:** 8 CFR 212.15

**Legal Deadline:** None

**Abstract:** The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) added a provision to the Immigration and Nationality Act that allows INS to suspend a commercial airline's privilege to transport aliens to the United States if the carrier has a record of bringing in aliens who have fraudulent documents. The IIRIRA states that a proposed rule must be published within 90 days of the bill's enactment.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
Interim Final Rule	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** Re: INS No. 1809-96

**Agency Contact:** Una Brien, Director, National Fines Office, Inspections Division, Department of Justice,

Immigration and Naturalization Service, 1400 Wilson Blvd. Suite 210, Arlington, VA 22209

Phone: 202 305-7018

**RIN:** 1115-AE59

### 1898. FILING FACTUAL STATEMENTS ABOUT ALIEN PROSTITUTES

**Priority:** Other Significant

**Legal Authority:** 18 USC 2424; PL 104-208

**CFR Citation:** 28 CFR 94 (New); 8 CFR (New)

**Legal Deadline:** None

**Abstract:** On September 30, 1996, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) was enacted. This law not only amended significant portions of title 8 of the United States Code, but also changed the provisions of title 18 United States Code (Crimes and Criminal Procedures). Because section 325 amends 18 USC, the Immigration and Naturalization Service will publish an implementing regulation dealing with the filing of statements by individuals who keep, maintain, control, support or harbor alien prostitutes.

**Timetable:**

Action	Date	FR Cite
NPRM (INS No. 1810-96)	12/00/97	
Final Rule (INS No. 1810-96)	04/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1810-96

**Agency Contact:** David Yost, Senior Special Agent, Investigations Division, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., Room 1000, Washington, DC 20536

Phone: 202 307-0557

**RIN:** 1115-AE60

### 1899. RIGHTS OF HABITUAL RESIDENCE BETWEEN THE UNITED STATES AND THE GOVERNMENTS OF THE MARSHALL ISLANDS, MICRONESIA AND PALAU

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC

1154; 8 USC 1182; 9 USC 1186a; 8 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 204; 8 CFR 214.2

**Legal Deadline:** None

**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The statute, among other things, requires that INS issue regulations governing the rights of "habitual residence" under 1) the Compact of Free Association between the United States and the Governments of the Marshall Islands and the Federated States of Micronesia; and 2) the Compact of Free Association between the Government of Palau.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	02/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** RE: INS No. 1811-96

**Agency Contact:** John Brown/Kathy Rodman, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., Room 3214, Washington, DC 20536  
Phone: 202 514-3240

**RIN:** 1115-AE61

### 1900. NONIMMIGRANT OVERSTAYS

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1201; 8 USC 1202; 8 USC 1221; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1258; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214.2; 8 CFR 214.2(f); 8 CFR 236; 8 CFR 248

**Legal Deadline:** None

**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). Section 632 of IIRIRA concerns authorized stay, voiding/cancellation of visas and eligibility for readmission to the U.S. Section 632 of IIRIRA concerns authorized stay, voiding/cancellation of visas and eligibility for readmission to the United States (U.S.) as a nonimmigrant. The INS will amend current regulations to provide for the

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exclusion of nonimmigrants who have previously over stayed their nonimmigrant status in the United States to reflect the 3-year and 5-year bars to admission specified at section 222(g) of the Immigration and Nationality Act as amended by IIRIRA.

**Timetable:**

Action	Date	FR Cite
NPRM (INS No. 1812-96)	12/00/97	
Final Rule (INS No. 1812-96)	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** RE: INS No. 1812-96

**Agency Contact:** Maurice Berez, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE62

**1901. F-1 VISA ABUSERS AND FOREIGN STUDENTS**

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1187; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1258; 8 USC 1362; PL 104-208

**CFR Citation:** 8 CFR 214.1; 8 CFR 214.2 (f); 8 CFR 214.3; 8 CFR 214.4; 8 CFR 221.1; 8 CFR 235; 8 CFR 236; 8 CFR 248

**Legal Deadline:** None

**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The INS will amend current regulations governing F-1 foreign students and the schools authorized to enroll F-1 students. The purpose is to bar F-1 eligibility and status for attendance at a public elementary school and publicly funded adult education programs. In addition, this rulemaking will establish the reimbursement requirements and 12 month limit for F-1 eligibility and status to attend an INS approved public secondary school. The rulemaking will implement the statutorily mandated foreign student tracking provisions.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
Final Rule	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** RE: INS Docket No. 1813-96

**Agency Contact:** Maurice Berez, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE63

**1902. USE OF PAROLE FOR HUMANITARIAN REASON OR SIGNIFICANT PUBLIC BENEFIT AND REPORT TO CONGRESS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1182

**CFR Citation:** 8 CFR 212

**Legal Deadline:** NPRM, Statutory, September 11, 1997.

**Abstract:** Changes to the current regulations are necessitated by section 602 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. This section has rewrote certain parole authority by stipulating parole on a case by case basis for urgent humanitarian reasons or significant public benefit. Furthermore, this section mandates a Report to Congress stating numbers of such parolees, commencing on January 1, 1998.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
Final Action	11/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Tribal, Federal

**Additional Information:** INS No. 1840-97 This rule effects the following section of the I&NA - section 212, as amended by sections 602 IIRIRA.

**Agency Contact:** Gary D. Witt, Patrol Agent In Charge, Office of Field Operations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000D, Washington, DC 20536  
Phone: 202 305-2455

**RIN:** 1115-AE68

**1903. LIMITING LIABILITY FOR CERTAIN TECHNICAL VIOLATIONS OF PAPERWORK VIOLATIONS**

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** 8 USC 1324a; PL 104-208

**CFR Citation:** 8 CFR 274a

**Legal Deadline:** None

**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). The INS will publish implementing regulations for section 411 of IIRIRA adding a reference to the "good faith attempt" exception to the employment verification requirements of I&NA 274A(b) and defining the term "technical or procedural failure." The proposed rule will also detail revisions to enforcement procedures to implement this provision.

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** RE: INS No. 1819-96 and Public Law 104-208, title 4

**Agency Contact:** Robert J. Quin, Investigator, Office of Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., Room 1000, Washington, DC 20536  
Phone: 202 842-9236

**RIN:** 1115-AE70

**1904. COLLECTION OF FEES UNDER THE DEDICATED COMMUTER LANE PROGRAM, PORT PASSENGER ACCELERATED SERVICE SYSTEM (PORTPASS) PROGRAM**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 8 USC 2869q; PL 104-208

**CFR Citation:** 8 CFR 103; 8 CFR 235; 8 CFR 286; 8 CFR 299

**Legal Deadline:** None

## DOJ—INS

## Proposed Rule Stage

**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The INS will publish amendatory regulations to remove restrictions currently in place which will limit the locations where the Service can implement dedicated commuter lanes. In addition, the proposed rule will incorporate other projects designed to enhance border security and effective traffic management at Ports-of-Entry. Finally, the regulations may adjust the fee structure in order to administer these projects.

**Timetable:**

Action	Date	FR Cite
NPRM (INS No. 1820-96)	11/00/97	
Final Rule (INS No. 1820-96)	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** RE: INS No. 1820-96; Pub. L. 104-208, title 1

**Agency Contact:** Robert Mocny, Inspector, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW., Room 4214, Washington, DC 20536  
Phone: 202 514-0911

**RIN:** 1115-AE71

**1905. CERTIFICATION OF CERTAIN HEALTH CARE WORKERS**

**Priority:** Other Significant

**Legal Authority:** 8 USC 1182(a)(5); PL 104-208

**CFR Citation:** 8 CFR 204; 8 CFR 212; 8 CFR 214.2; 8 CFR 245; 8 CFR 248

**Legal Deadline:** None

**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The statute, among other things, requires that certain foreign health care workers present a certificate from CGFNS or another agency to be determined by the Department of State, or, in the case of adjustment of status, to the Attorney General, in order to enter the United States. The certificate must address such issues as licensure, training, language skills, and education. The Service will be required to amend its regulations in order to provide

information to the public concerning this issue.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
Final Rule	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** RE: INS No. 1824-96; PL 104-208

**Agency Contact:** John Brown, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-3240

**RIN:** 1115-AE73

**1906. POWERS AND DUTIES OF THE ATTORNEY GENERAL AND THE COMMISSIONER DELEGATION OF IMMIGRATION ENFORCEMENT AUTHORITY**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1357

**CFR Citation:** 8 CFR 2; 8 CFR 287

**Legal Deadline:** NPRM, Statutory, September 11, 1997.

**Abstract:** The Commissioner may enter into agreements with States of their political subdivisions for the purpose of assisting in the enforcement of immigration laws as detailed in Service Policy and Memorandum of Understanding between the Service and State and local agencies who have entered into agreement with the Commissioner. This change is intended to augment the number of agents available to the Service who can enforce the immigration laws while providing State and local officers with a means of enforcing laws which were previously restricted to INS employees. This rule implements sections 133 and 373 of IIRIRA.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Additional Information:** INS No. 1833-97 INS Nos. 1834-97

The rules will affect the following section of the INA: -Section 103, as amended by section of IIRIRA; -Section 287, as amended by section 133 of IIRIRA;

Rules are contingent upon the formal recognition of Service Policy and Memorandums of Understanding (MOU) between the Service and the State and/or political subdivisions therein which are delegated the authority to enforce the immigration laws.

Government jurisdictions affected will include local and State Police Agencies, Sheriff's Departments and detention facilities operated by the State or a political subdivision of a State.

**Agency Contact:** Gary D. Witt, Patrol Agent in Charge, Office of Field Operations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1000D, Washington, DC 20536  
Phone: 202 305-2445

**RIN:** 1115-AE76

**1907. CIVIL MONETARY PENALTY INFLATION ADJUSTMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1324a; 8 USC 1221; 8 USC 1223; 8 USC 1227; 8 USC 1229; 8 USC 1253; 8 USC 1281; 8 USC 1283; 8 USC 1284; 8 USC 1285; 8 USC 1286

**CFR Citation:** 8 CFR 274a; 8 CFR 280

**Legal Deadline:** None

**Abstract:** In accordance with the requirements of section 4 of the Federal Civil Monetary Penalties Inflation Adjustment Act of 1990, the INS is adjusting for inflation civil monetary penalties assessed or enforced by the Government.

This rule amends the INS regulations by providing for the appropriate increased fines and penalties.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
Interim Final Rule	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** Also Bob Hinchman at DOJ Office of Policy

## DOJ—INS

## Proposed Rule Stage

Development 514-8059 INS No. 1844-97

**Agency Contact:** Allen H. Sinsheinier, Systems Accountant, Office of Budget, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 616-7715  
Fax: 202 514-7860

**RIN:** 1115-AE79

### 1908. SURRENDER OF ALIENS ORDERED REMOVED FROM THE UNITED STATES

**Priority:** Other Significant

**Legal Authority:** 8 USC 1103; 8 USC 1254a; 8 USC 1245a note

**CFR Citation:** 8 CFR 240.13; 8 CFR 240.14; 8 CFR 240.15; 8 CFR 240.16

**Legal Deadline:** None

Although there is no formal legal deadline, the rule is an integral part of implementing PL 104-208.

**Abstract:** This rule requires aliens subject to a final order of removal to surrender to the INS. This rule also establishes procedures for surrender, and bars persons violating these procedures from obtaining discretionary immigration benefits.

#### Timetable:

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	
Final Action	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1847-97

**Agency Contact:** Brian Hayes, Assistant General Counsel, Office of General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street, Room 6100, Washington, DC 20536  
Phone: 202 514-4616  
Fax: 202 514-0455

**RIN:** 1115-AE82

### 1909. PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1223; 8 USC 1227; 8 USC 1251; 8 USC

1253; 8 USC 1255; 8 USC 1330; 8 CFR 2

**CFR Citation:** 8 CFR 241

**Legal Deadline:** None

**Abstract:** This rule establishes an administrative process whereby criminal aliens in state custody convicted of nonviolent offenses may be deported prior to completion of their sentence to imprisonment pursuant to: section 241(a)(4)(B) of the Immigration and Nationality Act, as amended by section 438 of the Antiterrorism and Effective Death Penalty Act and section 305(a)(4)(B) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

#### Timetable:

Action	Date	FR Cite
NPRM INS No. 1848-97	12/00/97	
Final Action INS No. 1848-97	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Additional Information:** INS No. 1848-97

**Agency Contact:** Joan S. Lieberman, Attorney, Office of General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC  
Phone: 202 514-2895

**RIN:** 1115-AE83

### 1910. • CLARIFICATION OF AGE REQUIREMENTS FOR FINGERPRINTING NATURALIZATION APPLICANTS

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 8 USC 1103; 8 USC 1181; 8 USC 1182; 8 USC 1443; 8 USC 1447; 8 CFR 2.1

**CFR Citation:** 8 CFR 316

**Legal Deadline:** None

**Abstract:** This proposed rule amends Immigration and Naturalization Service regulations relating to requirements for fingerprinting naturalization applicants. This rule is necessary to clarify the age at which naturalization applicants are required to file Form FD - 258 with the naturalization application. The rule requires naturalization applicants 18 years of age or older to file Form FD - 258 with their applications.

#### Timetable:

Action	Date	FR Cite
NPRM	12/00/97	
Final Action	05/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Undetermined

**Additional Information:** INS Number 1860-97

**Agency Contact:** Ann Palmer, Staff Officer, Office Of Naturalization Operations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE86

### 1911. • PROCEDURES FOR THE DETENTION AND RELEASE OF CRIMINAL AND TERRORIST ALIENS BY THE INS AND FOR CUSTODY REDETERMINATIONS BY THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1362

**CFR Citation:** 8 CFR 236

**Legal Deadline:** None

**Abstract:** This rule proposes to amend the Immigration and Naturalization Service and the Executive Office for Immigration Review (EOIR) by establishing a regulatory framework for the detention of criminal and terrorist aliens pursuant to the Transition Period Custody Rules (TPCR) set forth in the Illegal Immigration Reform and Responsibility Act of 1996 (IIRIRA).

#### Timetable:

Action	Date	FR Cite
NPRM	09/15/97	62 FR 48183
NPRM Comment Period End	10/15/97	
Final Action	02/00/98	
Final Action Effective	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1855-97

**Agency Contact:** Brad Glassman, General Counsel, Office of General Counsel, Department of Justice, Immigration and Naturalization Service,

## DOJ—INS

## Proposed Rule Stage

425 I Street NW., Washington, DC 20536

Phone: 202 305-0846

RIN: 1115-AE88

### 1912. • CONTROL OF ALIENS DEPARTING FROM THE UNITED STATES

**Priority:** Economically Significant. Major under 5 USC 801.

**Unfunded Mandates:** This action may affect State, local or tribal governments and the private sector.

**Legal Authority:** 8 USC 1104

**CFR Citation:** 8 CFR 215

**Legal Deadline:** None

**Abstract:** IIRIRA requires the Service to implement an arrival/departure management system by October 1, 1998. This regulation will implement that system by requiring that all aliens seeking to enter the United States on or after that date, unless otherwise exempted by Service regulation, be in possession of a machine readable travel document acceptable to the Service. The regulation will establish a requirement that every person seeking to depart from the United States must travel through a Service designated Port-of-Departure and must conform to Service procedures prior to or upon departure. The regulation also will establish penalties for persons who fail to comply with the requirements of the regulation.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	

Action	Date	FR Cite
NPRM Comment Period End	07/00/98	
Final Action	10/00/98	
<b>Small Entities Affected:</b> Businesses, Governmental Jurisdictions, Organizations		
<b>Government Levels Affected:</b> State, Local		
<b>Additional Information:</b> INS No. 1869-97		
<b>Agency Contact:</b> Ronald J. Hays, Assistant Chief Inspector, Office of Inspections, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536 Phone: 202 514-3019 Fax: 202 514-8345 RIN: 1115-AE89		

### 1913. • EXAMINATIONS FEE ACCOUNT SCHEDULE—EOIR

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 82-137; PL 100-459; PL 101-515; PL 101-576; 8 USC 1356; 31 USC 9701

**CFR Citation:** 8 CFR 103.7

**Legal Deadline:** None

**Abstract:** INS No.1871-97 proposes to adjust the fee schedule of the Immigration Examinations Fee Account for the Form EOIR-26, Appeal of decision of Immigration Judge over which the Board of Immigration Appeals has appellate jurisdiction; Form EOIR-29, Appeal of decision of INS over which the Board of Immigration Appeals has appellate

jurisdiction; Motions to reopen or motions to reconsider any decision under the immigration laws in any type of proceeding over which the Board of Immigration Appeals does not have jurisdiction. The fee adjustments are necessary to comply with Federal statutes and Federal cost accounting standards. These statutes and standards require Federal Agencies to charge fees for specific services that provide a private benefit that does not accrue to the public. Federal agencies require agencies to review the adjust if necessary, their fees biannually to ensure that the fees charged recover the full cost to the Government to providing specific Services. Implementation of this rule will ensure that sufficient funds are available to the Government to provide the services for appeals and motions to reopen, and improve the quality of the services provided to users.

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/98	
Final Action	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1871

**Agency Contact:** Mike Natchuras, Chief, Policy and Rate Setting Branch, Budget, Office of Management, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6240, Washington, DC 20536  
Phone: 202 616-2754

RIN: 1115-AE90

## DEPARTMENT OF JUSTICE (DOJ)

## Final Rule Stage

## Immigration and Naturalization Service (INS)

### 1914. SEIZURE AND FORFEITURE OF CONVEYANCES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1324(b); 18 USC 981; 18 USC 982; 19 USC 1613; 19 USC 1618

**CFR Citation:** 8 CFR 274.13; 8 CFR 274.14; 8 CFR 274.15; 8 CFR 274.16; 8 CFR 274.17; 8 CFR 274.18; 8 CFR 274.19; 8 CFR 274.8 (Revision); 8 CFR 274.9

**Legal Deadline:** None

**Abstract:** Sections 274.13 through 274.19 of 8 CFR have been superseded by the publication at 28 CFR 9 of amended regulations governing the remission or mitigation of civil and criminal forfeitures by the Department of Justice. The INS is affected by these amendments through reference in 28 CFR 9. The amendments to 8 CFR 274 will include the deletion of sections 274.13 through 274.19 and amendments in reference in sections 274.8 and 274.9 from sections 274.13 through 274.17 to 28 CFR 9.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** INS No. 1391-92

INS rule pending DOJ completion of changes to 28 CFR 9; DOJ published a final rule on 1-3-97 at 62 FR 314

## DOJ—INS

## Final Rule Stage

Cross reference INS No. 1061-88, published 10-26-88 at 53 FR 43192, effective 10-26-88.

**Agency Contact:** Susan T. Czerwinski, Asset Forfeiture Program Specialist, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 1040, Washington, DC 20536  
Phone: 202 616-2737

**RIN:** 1115-AA95

**1915. NONIMMIGRANT CLASSES; NATO-1, 2, 3, 4, 5, 6, AND 7; CONTROL OF EMPLOYMENT OF ALIENS (SPECIAL REQUIREMENT FOR ADMISSION, EXTENSION AND MAINTENANCE OF STATUS; NATO)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1186a

**CFR Citation:** 8 CFR 214; 8 CFR 274a; 8 CFR 248; 8 CFR 299

**Legal Deadline:** None

**Abstract:** Collaborative effort with INS, DOS, DOD and NATO on revising Service regulations relating to employment authorization for dependents of certain principal aliens in NATO status. The revision is necessary in order to expand and secure employment opportunities on the basis of reciprocity for dependents of U.S. citizens in NATO status in NATO member countries and to make NATO dependent employment provisions conform with those of A and G nonimmigrants.

**Timetable:**

Action	Date	FR Cite
NPRM	02/07/94	59 FR 5533
NPRM Comment Period End	03/09/94	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1328-93

**Agency Contact:** Katharine A. Lorr, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AB52

**1916. NONIMMIGRANT CLASSES; NORTH AMERICAN FREE TRADE AGREEMENT (UNITED STATES-CANADA FREE TRADE AGREEMENT AMENDMENTS)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 CFR 2

**CFR Citation:** 8 CFR 214; 8 CFR 103; 8 CFR 212; 8 CFR 274a

**Legal Deadline:** None

**Abstract:** This regulation provides amendments to part 214 in order to bring it into conformance with procedural changes effected by INS in 1993 and provisions of the North American Free Trade Agreement.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule; Eff. 1-1-94; Com. Due 2-28-94	12/30/93	58 FR 69205
Interim Final Rule; Correction	01/13/94	59 FR 1992
Final Action	11/00/97	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1611-93

Cross reference INS No. 1310 and INS No. 1258.

**Agency Contact:** Helen V. deThomas, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AB72

**1917. VISA WAIVER PILOT PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1356; 8 USC 1187; 8 USC 1103; 8 CFR 2

**CFR Citation:** 8 CFR 217

**Legal Deadline:** None

**Abstract:** The Visa Waiver Pilot Program allows nationals of designated countries to apply for admission to the United States at land border ports, air and sea ports and to enter the United States for business or pleasure for up to 90 days without first obtaining a nonimmigrant visa.

INS Rule No. 1799 will finalize all those Visa Waiver Pilot Program countries which were added through the publication of interim regulations. This rule will also incorporate those statutory changes made to section 217 of the INA by IIRIRA.

**Timetable:**

Action	Date	FR Cite
NPRM (1406-91) Comment Period End 5/22/91	05/07/91	56 FR 21101
Interim Final Rule (INS No. 1447) Eff. 10/1/91; Comment Period End 10/15/91	09/13/91	56 FR 46716
Public Notice (INS No. 1674) Eff. 10/25/94, Comment Period End 09/30/96	02/21/95	60 FR 9699
Interim Final Rule (INS No. 1685) Eff. 4/1/95; Comment Period End 5/30/95	03/28/95	60 FR 15855
Interim Final Rule (INS No. 1777)	07/08/96	61 FR 35598
Interim Final Rule (INS No. 1782-96 With Comments (Australia))	07/29/96	61 FR 39721
Interim Final Rule (INS No. 1786-96) With Comments (Slovenia)	09/30/97	62 FR 50998
Final Rule (INS No. 1799)	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1447-91, 1622-94, 1685-95, 1777-96, and 1782 are to be consolidated into one final rulemaking which is designated as INS No. 1799.

INS No. 1799 will be jointly published by INS and the Department of State.

INS No. 1447R is cancelled.

The Czech Republic and Slovenia are awaiting country approval by the Attorney General for participation in this program.

The Visa Waiver Pilot Program was extended on September 30, 1996, for one year, until September 30, 1997.

**Agency Contact:** Patricia Ward, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-0964

**RIN:** 1115-AB93



## DOJ—INS

## Final Rule Stage

**1918. REMOVAL OF CONDITIONAL BASIS AND LAWFUL PERMANENT RESIDENCE FOR CERTAIN ALIEN SPOUSES AND SONS AND DAUGHTERS; BATTERED AND ABUSED CONDITIONAL RESIDENTS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1154; 8 USC 1184; 8 USC 1186a; 8 CFR 2**CFR Citation:** 8 CFR 216**Legal Deadline:** None**Abstract:** This rule amends the existing waiver provisions and establishes a third basis for waiving the joint filing requirement to remove the conditional basis of lawful permanent residence for certain alien spouses, sons, and daughters. This rule also allows battered or abused conditional residents to request removal of conditions without filing a joint petition with the abuser.**Timetable:**

Action	Date	FR Cite
Interim Final Rule, Eff. 5-16-91; Com. Due 6-17-91	05/16/91	56 FR 22635
Final Action	11/00/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Additional Information:** INS No. 1423-91**Agency Contact:** Karen FitzGerald, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AC47**1919. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE: CONDITIONAL RESIDENTS AND FIANCE(E)S****Priority:** Substantive, Nonsignificant**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 USC 1257; 8 CFR 2**CFR Citation:** 8 CFR 245**Legal Deadline:** None**Abstract:** This rule clarifies procedures for fiance(e)s who marry after the 90-day period of fiance(e) admission has ended; and also clarifies that persons who have had conditional residence terminated are not eligible to adjust status.**Timetable:**

Action	Date	FR Cite
NPRM	08/20/96	61 FR 43028
NPRM Comment Period End	10/21/96	
Final Action	11/00/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Additional Information:** INS No. 1353-91**Agency Contact:** Ramonia Law-Hill, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AC70**1920. NONIMMIGRANT CLASSES; B VISITOR FOR BUSINESS OR PLEASURE****Priority:** Substantive, Nonsignificant**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1281; 8 USC 1282; 8 CFR 2; 8 USC 1324a**CFR Citation:** 8 CFR 214; 8 CFR 274a**Legal Deadline:** None**Abstract:** This rule incorporates into current regulations the information contained in the Service's Operations Instructions (OIs) and the interpretive note material to Volume 9 of the Department of State's Foreign Affairs Manual (FAM) relating to the B-1 (visitor for business) and B-2 (visitor for pleasure) classifications, with appropriate modifications due to the passage of the Immigration Act of 1990 and the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991. This rule clarifies the criteria for according B-1 or B-2 classification to applicants for admission to the United States. In addition, by incorporating the applicable portions of the instructions

presently contained in the OIs and the FAM notes into regulations such information will be more readily available to the public.

**Timetable:**

Action	Date	FR Cite
NPRM	11/05/93	58 FR 58982
NPRM Comment Period End	12/06/93	
Final Action	10/00/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Additional Information:** INS No. 1441-93**Agency Contact:** Helen V. deThomas, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AC89**1921. INSPECTION OF PERSONS APPLYING FOR ADMISSION****Priority:** Routine and Frequent**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1183; 8 USC 1201; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252; 8 USC 1353a; 8 USC 1353b; 31 USC 9701**CFR Citation:** 8 CFR 235**Legal Deadline:** None**Abstract:** This rule provides for the reimbursement to the INS for certain direct salary costs and administrative overhead charges in its overtime billing for arriving trains and vessels under 8 USC 1353b, for all immigration inspection services rendered to crews, and for services rendered to passengers not exempt under 8 USC 1353b or 1356(g).**Timetable:**

Action	Date	FR Cite
Proposed Rule Comment Period End 1/21/93	12/22/92	57 FR 60741
2nd Proposed Rule	11/00/97	

**Small Entities Affected:** Undetermined**Government Levels Affected:** Federal**Additional Information:** INS No. 1512-92**Agency Contact:** Rick Marks, Financial Management, Department of Justice,

## DOJ—INS

## Final Rule Stage

Immigration and Naturalization Service,  
425 I Street NW., Room 6010,  
Washington, DC 20536  
Phone: 202 616-7683

RIN: 1115-AD17

## 1922. MEXICAN AND CANADIAN NONRESIDENT ALIEN BORDER CROSSING CARDS (BCCS)

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 USC 1183; 8 USC 1201; 8 USC 1102; 8 USC 1201a; 8 USC 1301; 8 USC 1305; 8 CFR 2

**CFR Citation:** 8 CFR 212; 8 CFR 264; 8 CFR 299

**Legal Deadline:** None

**Abstract:** This rule amends the Immigration and Naturalization Service (Service) regulations to clarify and standardize procedures for the application and issuance of border crossing cards to citizens and residents of Mexico or Canada, or British subjects residing permanently in Canada who wish to enter the United States for business or pleasure; lists types of documentation acceptable as proof of residence or economic solvency; designates specific geographic jurisdictions for the ports to accept applications and issue BCCs; and, provides for issuance of temporary border crossing documents to applicants who appear eligible for BCC issuance. This rule promotes uniformity and clarity in the application requirements, decisionmaking process, and issuance of entry documents, while enhancing effective and efficient border enforcement within the border crossing card program.

### Timetable:

Action	Date	FR Cite
NPRM	02/06/96	61 FR 4374
NPRM Comment Period End	04/08/96	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1390

**Agency Contact:** Ronald Hays,  
Assistant Chief Inspector,  
Examinations, Department of Justice,  
Immigration and Naturalization Service,  
425 I Street NW., Room 4064,  
Washington, DC 20536  
Phone: 202 514-2694

RIN: 1115-AD24

## 1923. ADJUSTMENT OF STATUS; CERTAIN NATIONALS OF THE PEOPLES REPUBLIC OF CHINA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 USC 1257

**CFR Citation:** 8 CFR 245

**Legal Deadline:** None

**Abstract:** This regulation implements the provisions of Public Law 102-404, the Chinese Student Protection Act of 1992, by providing adjustment of status procedures for certain nationals of the Peoples Republic of China. This regulation allows qualified nationals of the Peoples Republic of China to become lawful permanent residents.

### Timetable:

Action	Date	FR Cite
Interim Final Rule Eff. 7-1-93; Com. Due 8- 2-93	07/01/93	58 FR 35832
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1607-93

**Agency Contact:** Lisa Jacobson, Staff  
Officer, Examinations, Department of  
Justice, Immigration and Naturalization  
Service, 425 I Street NW., Room 3214,  
Washington, DC 20536  
Phone: 202 514-5014

RIN: 1115-AD33

## 1924. PETITIONS FOR EMPLOYMENT- BASED IMMIGRANTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186A; 8 USC 1255; 8 CFR 2; 8 USC 1153(b)

**CFR Citation:** 8 CFR 204; 8 CFR 214

**Legal Deadline:** None

**Abstract:** This proposed rule will make changes to the regulations governing

employment-based immigrant petitions. These regulations were promulgated in November of 1991. Since then, the Service has discovered certain provisions in the regulations which need clarification or revision. The Service also needs to incorporate certain changes made by the Miscellaneous and Technical Immigration and Naturalization Amendments of 1991 into the regulations.

### Timetable:

Action	Date	FR Cite
NPRM	06/06/95	60 FR 29771
NPRM Comment Period End	08/07/95	
Final Action	10/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1633-93

**Agency Contact:** Helen V. de Thomas,  
Staff Officer, Examinations, Department  
of Justice, Immigration and  
Naturalization Service, 425 I Street  
NW., Room 3214, Washington, DC  
20536  
Phone: 202 514-5014

RIN: 1115-AD55

## 1925. PROCEDURES FOR FILING A DERIVATIVE PETITION (FORM I-730) FOR A SPOUSE AND UNMARRIED CHILDREN OF A REFUGEE/ASYLEE

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1157; 8 USC 1159; 8 USC 1182; 8 USC 1158; 8 USC 1226; 8 USC 1252; 8 USC 1282; 8 CFR 2; 31 USC 9701

**CFR Citation:** 8 CFR 207; 8 CFR 208

**Legal Deadline:** None

**Abstract:** This rule responds to the family reunification needs of refugees by establishing an equitable and consistent following-to-join policy for refugees which parallels the current following-to-join procedures for asylees. This rule also proposes to amend asylum regulations by removing children born to or legally adopted by the principal alien and spouse after

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approval of the principal alien's asylum application from qualified relationship.

**Timetable:**

Action	Date	FR Cite
NPRM	07/09/96	61 FR 35984
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1639

**Agency Contact:** Suzy Nguyen, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD59

## 1926. REQUESTS FOR ADDITIONAL EVIDENCE TO SUPPORT IMMIGRANT VISA PETITIONS

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 CFR 2

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule amends Immigration and Naturalization Service regulations by providing a petitioner in an immigrant visa petition proceeding with a period of 12 weeks to respond to the Service's request for additional information and/or documentation.

**Timetable:**

Action	Date	FR Cite
NPRM	07/19/94	59 FR 36729
NPRM Comment Period End	09/19/94	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1659-94

**Agency Contact:** Jack Rasmussen, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD70

## 1927. EXPANSION OF DIRECT MAIL PROGRAM

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1101; 8 USC 1182; 8 USC 1255; 8 USC 1255a; 8 USC 1201; 8 USC 1201a; 8 USC 1301; 8 USC 1302; 8 USC 1303; 8 USC 1304; 8 USC 1305; 8 USC 1324a; 8 CFR 2; 8 USC 1356

**CFR Citation:** 8 CFR 103; 8 CFR 245; 8 CFR 264; 8 CFR 274a; 8 CFR 245a

**Legal Deadline:** None

**Abstract:** This rule conveys changes in filing procedures for certain petitions or applications for immigration benefits under the direct mail program. Filing will be done directly with the service centers rather than with the district offices thereby facilitating more expeditious processing of applications and/or petitions. (INS 1660)

The Service initiated the expansion of the direct mail program to include the filing of Form N-400, Application for Naturalization. The Los Angeles, Miami, Chicago, and New York District Offices are the pilot sites for this expanded program. Naturalization applications are mailed to the four service centers in an effort to expedite processing. (INS 1745)

The Service will also expand direct mail to include the filing of adjustment of status applications for employment-based immigrants. (INS 1734). INS is expanding the program to require refugees and asylees to file their application for adjustment of status directly with an INS service center for processing. This procedural change will result in improved customer service by reducing processing times. (INS 1829)

**Timetable:**

Action	Date	FR Cite
Interim Final Rule INS No. 1660 Direct Mail Prog. Expan. Eff. 7/1/94; Comment Period End 8/30/94	07/01/94	59 FR 33903
Notice; INS No. 1660N Pilot Direct Mail Prog. Baltimore Office, Imple. Date 7/1/94	07/01/94	59 FR 33985
Notice INS No. 1745	01/25/96	61 FR 2266

Action	Date	FR Cite
Notice (INS No. 1734)	10/30/96	61 FR 56060
Interim Rule (INS No. 1829-96)	11/00/97	
Final Rule (INS 1829-96)	03/00/98	
Final Rule (INS No. 1660) Direct Mail Prog. Expansion	00/00/00	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1660, 1734 and 1745

**Agency Contact:** Michael Aytes, Assistant Commissioner, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD73

## 1928. ADMISSION OF CERTAIN NURSES SEEKING NONIMMIGRANT CLASSIFICATION UNDER THE H-1A CATEGORY

**Priority:** Routine and Frequent

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1187; 8 USC 1221; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule amended existing regulations concerning admission of certain nurses seeking nonimmigrant classification under the H-1A category. This rule is necessary due to a change in the method that the National Council of State Boards of Nursing (NCLEX) uses to administer the permanent State licensure examination. With the change in testing procedures the rule will provide that nurses entering the United States, on the basis of a temporary license issued by the State of intended employment, pass the NCLEX within 6 months after the date of their initial admission to the U.S.

(This class no longer exists and a final rule will be published to remove applicable reference).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Comment Period End 12/06/94	10/07/94	59 FR 51101
Interim Final Rule Effective	10/07/94	

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Action	Date	FR Cite
Interim Final Rule	03/07/97	62 FR 10422
Interim Final Rule (INS No. 1806) Comment Period End 5/06/97	03/07/97	62 FR 10422
Final Action	11/00/97	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1663-94.

Cross Reference INS No. 1654-94, RIN 1115-AD66

**Agency Contact:** John Brown, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-3240

**RIN:** 1115-AD74

#### 1929. FEES FOR PARTICIPATION IN DEDICATED COMMUTER LANES AT SELECTED PORTS OF ENTRY; COLLECTION OF FEES UNDER THE DEDICATED COMMUTER LANE PROGRAM

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356; 8 USC 1182; 8 USC 1183; 8 USC 1224; 8 USC 1225; 8 USC 1226; 8 USC 1227; 8 USC 1228; 8 USC 1252

**CFR Citation:** 8 CFR 103; 8 CFR 235; 8 CFR 286; 8 CFR 299

**Legal Deadline:** None

**Abstract:** These rules provide for the collection of a fee at the time of application for participation in a Dedicated Commuter Lane (DCL), instead of at the time of approval of the application. The DCL program is a pilot project established at selected land border ports of entry to expedite the transborder movement of eligible, pre-screened, low-risk groups through designated traffic lanes. The first rule clarifies the requirements for the use of the DCL. (INS No. 1675). A second rule will set forth the fee required of participants in order to cover the technological costs (INS No. 1794).

#### Timetable:

Action	Date	FR Cite
Interim Final Rule (INS 1675) Eff. 9/29/95; Comment Period End 11/28/95	09/29/95	60 FR 50386
Interim Rule (INS 1794)	10/11/96	61 FR 53303
Final Rule (INS 1675-94) Effective (INS 1675-94) 10/16/96	10/16/96	61 FR 53830
Final Action (INS 1794-96)	11/00/97	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1675 and 1794-96

**Agency Contact:** Robert Mocny, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-3275

**RIN:** 1115-AD82

#### 1930. ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE; TEMPORARY REMOVAL OF CERTAIN RESTRICTIONS ON ELIGIBILITY

**Priority:** Other Significant

**Legal Authority:** 5 USC 552; 5 USC 552(a); 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252b; 8 USC 1304; 8 USC 1356; 8 USC 1102; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228

**CFR Citation:** 8 CFR 103; 8 CFR 212; 8 CFR 217; 8 CFR 245

**Legal Deadline:** None

**Abstract:** This rule allows certain persons in the United States to adjust status to that of a lawful permanent resident before October 1, 1997. These persons, although eligible for immigrant visa issuance abroad, have been barred from adjustment of status because they had entered the United States without inspection or had violated the conditions of temporary nonimmigrant status. The rule allows prospective lawful permanent or conditional residents to avoid the difficulties and expense of travel to a U.S. consulate or embassy abroad. It continues to penalize these violators of the immigration laws by requiring most adult applicants to pay an additional

sum in excess of the standard adjustment filing fee. After adjusting status they may lawfully live and work in the United States and may later be eligible to seek United States citizenship through naturalization.

#### Timetable:

Action	Date	FR Cite
Interim Final Rule Eff. 10-1-94; Com. Due 12-6-94	10/07/94	59 FR 51091
Interim Final Rule Correction	10/20/94	59 FR 53020
Interim Rule INS No. 1676-94 Effective 07/23/97	07/23/97	62 FR 39417
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1676

**Agency Contact:** Gerard Casale, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AD83

#### 1931. SCREENING REQUIREMENTS OF CARRIERS FOR REDUCTION, REFUND, OR WAIVER OF FINES

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103

**CFR Citation:** 8 CFR 273

**Legal Deadline:** None

**Abstract:** This rule sets forth the requirements that a carrier must satisfy in order that the INS may reduce, refund, or waive a fine incurred by the carrier for the transportation of an improperly documented alien to the U.S. The rule notifies the public of the requirements the INS expects the carriers to implement at ports of embarkation to satisfy the INS that they have properly screened all passengers on their vessel or aircraft bound for the U.S. The rule also notifies the public of the circumstances under which the INS may reduce, refund, or waive fines imposed on the carrier for the boarding of improperly documented aliens.

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Certain qualified carriers that have achieved an Acceptable Performance Level (APL) in the number of improperly documented aliens brought to the United States, as determined by the INS, and having a satisfactory fines payment record, will be eligible for fines mitigation, the extent of the mitigation being determined by the carrier's APL.

**Timetable:**

Action	Date	FR Cite
NPRM	06/10/96	61 FR 29323
NPRM Comment Period End	08/09/96	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1697

**Agency Contact:** Robert Hutnick, Assistant Chief Inspector, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 514-3019

**RIN:** 1115-AD97

### 1932. PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A U.S. CITIZEN OR AS A PREFERENCE IMMIGRANT; SELF-PETITIONING FOR CERTAIN BATTERED OR ABUSED ALIEN SPOUSES AND CHILDREN

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1186a; 8 USC 1255; 8 CFR 2; PL 103-322

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** This rule allows battered and abused spouses and children of United States Citizens and Lawful Permanent Residents to petition for immigrant classification. The consent of the abuser would not be required.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/26/96	61 FR 13061
Interim Final Rule Effective	03/26/96	

Action	Date	FR Cite
Interim Final Rule Comment Period End	05/28/96	
Final Action	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS No. 1705-95

**Agency Contact:** Karen FitzGerald, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE04

### 1933. MISCELLANEOUS MODIFICATIONS TO NATURALIZATION REGULATIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1103; 8 USC 1433; 8 USC 1443; 8 USC 1448

**CFR Citation:** 8 CFR 322; 8 CFR 337

**Legal Deadline:** None

**Abstract:** These regulations implement provisions of the Immigration and Nationality Technical Amendments Act of 1994.

INS No. 1712 implements changes to 8 CFR 322 by establishing procedures for a U.S. citizen parent to apply for the expeditious naturalization of his or her children born outside the U.S. It allows certain U.S. parents who do not meet physical presence requirements to use the physical presence of their U.S. parent (the child's U.S. grandparent). The purpose of the rule is to relax the requirements of U.S. citizenship for children born to or adopted by U.S. citizens abroad.

INS No. 1764 reserves the authority to schedule all administrative oath-taking ceremonies with the District Director. The rule will not impact the Immigration Judges' authority to administer the oath at ceremonies conducted by the Service.

**Timetable:**

Action	Date	FR Cite
Proposed Rule (INS 1712)	09/10/96	61 FR 47690
Final Rule (INS 1712)	11/00/97	
Final Rule (INS 1764)	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Additional Information:** INS Nos. 1712 Contact, Jane Barker

INS No. 1764 Contact, Susan Arroyo

**Agency Contact:** Jane Barker, Staff Officer, Office of Naturalizations Operations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE07

### 1934. CONDITIONS ON NONIMMIGRANT STATUS; DISCLOSURE OF INFORMATION

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1186A; 8 USC 1187; 8 USC 1221; 8 USC 1281; 8 USC 1282

**CFR Citation:** 8 CFR 214

**Legal Deadline:** None

**Abstract:** This rule removes the current regulatory language conditioning an alien's nonimmigrant status on his or her providing full and truthful information requested by the INS, regardless of the requested information's materiality. This rule would clarify that the nonimmigrant's stay is conditioned on, among other things, the provision of all information deemed necessary to ensure that the alien has acquired, and is maintaining, lawful nonimmigrant status during the entire period of his or her stay, or is eligible to receive any other benefit under the INA.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/96	61 FR 30188
Final Action	11/00/97	

**Small Entities Affected:** None

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**Government Levels Affected:** None

**Additional Information:** INS No. 1732-95

**Agency Contact:** Miriam Jawitz  
Hetfield, Staff Officer, Examinations,  
Department of Justice, Immigration and  
Naturalization Service, 425 I Street  
NW., Room 3214, Washington, DC  
20536

Phone: 202 514-5014

**RIN:** 1115-AE17

### 1935. REGULATIONS RELATING TO TEMPORARY PROTECTED STATUS

**Priority:** Other Significant

**Reinventing Government:** This  
rulemaking is part of the Reinventing  
Government effort. It will eliminate  
existing text in the CFR.

**Legal Authority:** 8 USC 1103; 8 USC  
1254a; 8 USC 1254a note; 8 USC 1362;  
8 USC 1324a; 8 USC 1101; 8 USC 1303;  
8 CFR 2; 5 USC 301; 5 USC 552; 5  
USC 552a; 8 USC 1201; 28 USC 509;  
31 USC 9701

**CFR Citation:** 8 CFR 103; 8 CFR 240;  
8 CFR 299

**Legal Deadline:** None

**Abstract:** Regulations published under  
this RIN implement provisions of the  
Immigration and Nationality Act as  
established by section 302 of the  
Immigration Act of 1990, Pub. L. 101-  
649, which allow for the establishment  
and implementation of Temporary  
Protected Status (TPS). Currently,  
nationals of four countries (Liberia,  
Somalia, Rwanda, and Bosnia-  
Hercegovina) have been accorded TPS  
Status. Such designations are  
accomplished by notice published in  
the Federal Register.

Previously published TPS regulations  
were cited by RIN 1115-AC30.

Current regulatory actions:

INS No. 1608 provides for exceptions  
to deadlines for registering for TPS and  
updates the application process.

INS No. 1612 provides for the removal  
of obsolete TPS language.

**Timetable:**

Action	Date	FR Cite
TPS Final Rule (INS No. 1612) Removal of Obsolete Sections Covering TPS for Salvadorans	09/10/96	61 FR 47667

Action	Date	FR Cite
TPS Notice (INS No. 1832-97) Designation of Liberia	04/07/97	62 FR 16608
TPS Notice (INS No. 1853-97) Designation of Rwanda Eff.	06/19/97	62 FR 33442
TPS Notice (INS No. 1862-97) Designation of Bosnia-Hercegovina	08/01/97	62 FR 41420
TPS Notice (INS No. 1863-97) Designation of Somalia	08/01/97	62 FR 41421
TPS Notice (INS No. 1878-97) TPS Designation of Montserrat	08/28/97	62 FR 45685
TPS Final Rule (INS No. 1608) Exceptions to Registration	11/00/97	
Final Action	11/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** The Attorney  
General may designate other countries  
for TPS.

INS Nos. 1608, 1612, 1832-97, 1853-97  
and 1877-97

INS No. 1608 issued as an interim rule  
on 11/5/93 at 58 FR 58935

Cross reference other TPS actions under  
RIN 1115-AC30.

**Agency Contact:** Ronald S. Chirlin,  
Staff Officer, Office of Examinations,  
Department of Justice, Immigration and  
Naturalization Service, 425 I Street  
NW., Room 3214, Washington, DC  
20536

Phone: 202 514-5014

**RIN:** 1115-AE26

### 1936. REGULATIONS PERTAINING TO ADJUDICATIONS PROCESSING

**Priority:** Other Significant

**Reinventing Government:** This  
rulemaking is part of the Reinventing  
Government effort. It will eliminate  
existing text in the CFR.

**Legal Authority:** 5 USC 552; 5 USC  
552(a); 8 USC 1101; 8 USC 1102; 8 USC  
1103; 8 USC 1151; 8 USC 1153; 8 USC  
1154; 8 USC 1155; 8 USC 1160; 8 USC  
1182; 8 USC 1184; 8 USC 1186a; 8 USC  
1186b; 8 USC 1187

**CFR Citation:** 8 CFR 101; 8 CFR 103;  
8 CFR 204; 8 CFR 210; 8 CFR 212; 8  
CFR 214; 8 CFR 216; 8 CFR 240; 8 CFR  
245a; 8 CFR 249; 8 CFR 336

**Legal Deadline:** None

**Abstract:** In response to the President's  
direction to each agency to undertake  
a review of its regulations for the  
purpose of reducing the regulations or,  
when possible, rendering them more  
readable and comprehensible, the  
Immigration and Naturalization Service  
engaged in a thorough line-by-line  
review of all regulations in title 8 of  
the Code of Federal Regulations (8  
CFR). As a result, the Service is  
amending its regulations consistent  
with the President's directive by  
publishing a series of separate  
rulemakings in the Federal Register.  
Over the course of the next two fiscal  
years, these rulemakings will address  
all parts of 8 CFR by updating obsolete  
references; by eliminating portions  
dealing with terminated programs; by  
removing language relating to purely  
procedural matters involving only  
internal Service processes; by  
elimination of references which  
unnecessarily duplicate language  
contained in the statute or in other  
portions of the regulations; and by  
streamlining awkward and confusing  
language.

**Timetable:**

Action	Date	FR Cite
Final Action	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State,  
Federal

**Additional Information:** INS Nos. 1753-  
96; 1754-96; and 1789-96 Additional  
Legal Authority: 8 USC 1201; 8 USC  
1221; 8 USC 1225; 8 USC 1226; 8 USC  
1227; 8 USC 1228; 8 USC 1252 note;  
8 USC 1252b; 8 USC 1254; 8 USC  
1254a note; 8 USC 1255; 8 USC 1255  
note; 8 USC 1259; 8 USC 1281; 8 USC  
1282; 8 USC 1304; 1356; 8 USC 1443;  
8 USC 1447; 8 USC 1448; 31 USC 9701;  
EO 12356; 47 FR 14874; 47 FR 15557;  
3 CFR; 1982 Comp., 166; 8 CFR part  
2.

**Agency Contact:** Lawrence J. Weinig,  
Director, Field Manual Project Office,  
Department of Justice, Immigration and  
Naturalization Service, 425 I Street  
NW., ULLICO 4th Floor, Washington,  
DC 20536

Phone: 202 616-7425

**RIN:** 1115-AE31

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**1937. ORPHAN PETITIONS; PETITIONS TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR PREFERENCE IMMIGRANT; CHANGE IN DEFINITION OF CHILD****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-51**CFR Citation:** 8 CFR 204**Legal Deadline:** None

**Abstract:** This rule amends the Service's existing regulations by replacing the phrase "legitimate child" with "child born in wedlock". This change also makes the criteria for immigration, based on orphan classification and on certain other parent-child relationships, much easier to understand and apply.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/00/98	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Additional Information:** INS No. 1761 (Additional INS contact Ramonia Law-Hill)

**Agency Contact:** Karen FitzGerald, Staff Officer, Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AE33**1938. INSPECTION AND EXPEDITED REMOVAL OF ALIENS; DETENTION AND REMOVAL OF ALIENS; CONDUCT OF REMOVAL PROCEEDINGS; ASYLUM PROCEDURES****Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 301; 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1154; 8 USC 1158; 8 USC 1181; 8 USC 1182; 8 USC 1183; 8 USC 1184; 8 USC 1185; 8 USC 1186a; 8 USC 1187

**CFR Citation:** 8 CFR 1; 8 CFR 3; 8 CFR 103; 8 CFR 204; 8 CFR 207; 8 CFR 208;

8 CFR 209; 8 CFR 211; 8 CFR 212; 8 CFR 213; 8 CFR 214; 8 CFR 216; 8 CFR 217; 8 CFR 221; 8 CFR 223; ...

**Legal Deadline:** Final, Statutory, March 1, 1997.

The statute requires the Attorney General to promulgate implementing regulations by March 1, 1997.

**Abstract:** Many of the provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) became effective April 1, 1997. Some provisions of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA) that were not superseded by IIRIRA became effective November 1, 1996. On March 6, 1997, INS and EOIR published an interim rule revising the asylum process; providing a mechanism for the determination and review of certain applicants who demonstrate a credible fear of persecution if returned to their own country; defining the inspection and admission process including new expedited removal procedures for aliens attempting to enter the United States through fraud or misrepresentation apprehension, detention, and removal of aliens; addressing conduct of removal proceedings; and revising many other sections of the regulations to conform with the new laws. INS is currently reviewing comments received on the interim rule prior to issuing a final rule.

**Timetable:**

Action	Date	FR Cite
Proposed Rule (1788-96) Comment Period End 2/3/97	01/03/97	62 FR 444
Interim Rule (1788-96) Comment Period End 7/15/97	03/06/97	62 FR 10312
Interim Rule Correction (Effective Date 04/01/97)	04/01/97	62 FR 15362
Interim Rule (1788-96) Interim Rule Correction	04/09/97	62 FR 17048
Final Action (INS No. 1788-96)	11/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None

**Additional Information:** INS No. 1788-96 and 1790-96 Additional CFR cites; 8 CFR 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 248, 251, 252, 253, 274a, 286, 287, 299, 316, 318 and 329.

**Additional Legal Authorities:** 8 USC 1186b, 1187, 1201, 1203, 1221, 1222,

1223, 1224, 1225, 1226, 1227, 1251, 1252, 1252note, 1252a, 1252b, 1253, 1254, 1254a note, 1255, 1256, 1258, 1259, 1281, 1282, 1304, 1324a, 1330, 1356, 1357, 1362, 1429, 1440, 1443, 1447; 28 USC 509, 510, 1746; 31 USC 9701; 3 CFR, 1982 Comp., p. 166; 8 CFR part 2.

**Agency Contact:** Linda Loveless, Assistant Chief Inspector, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 4064, Washington, DC 20536  
Phone: 202 616-7489

Peggy Philbin, General Counsel, Executive Office of Immigration Review, Department of Justice, Immigration and Naturalization Service, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041  
Phone: 703 305-0470

**RIN:** 1115-AE47**1939. AGREEMENT PROMISING NON-DEPORTATION OR OTHER IMMIGRATION BENEFITS****Priority:** Other Significant

**Legal Authority:** 5 USC 301; 28 USC 509; 28 USC 509; 28 USC 510; 28 USC 515; 28 USC 516; 28 USC 517; 28 USC 518; 28 USC 519

**CFR Citation:** 28 CFR 0.197**Legal Deadline:** None

**Abstract:** Requires INS consent for agreements not to deport or agreements promising immigration benefits.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/13/96	61 FR 48405
NPRM Comment Period End	11/12/96	
Final Action	12/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Cristina Hamilton, Chief Enforcement Division, Office of General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 20536  
Phone: 202 514-2895  
Fax: 202 514-0455

**RIN:** 1115-AE50

## DOJ—INS

## Final Rule Stage

**1940. DEFINITION OF THE TERM "LAWFULLY PRESENT" FOR PURPOSES OF APPLYING FOR TITLE II BENEFITS UNDER THE SOCIAL SECURITY ACT****Priority:** Other Significant**Legal Authority:** 5 USC 552; 5 USC 552a; 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1252 note; 8 USC 1252B; 8 USC 1304; 8 USC 1356; 31 USC 9701; EO 12356; 47 FR 14874 to 15557; 1982 Comp., p. 166; 8 CFR 2**CFR Citation:** 8 CFR 103**Legal Deadline:** NPRM, Statutory, September 1, 1996.**Abstract:** Section 401(a) of the Personal Responsibility and Work Reconciliation Act of 1996 provides that, with limited exceptions, only qualified aliens, as defined under section 431, may receive certain Federal public benefits. Section 401(b)(2) provides an exception which allows aliens who are "lawfully present in the United States" as determined by the Attorney General to receive Social Security benefits under title II of the Social Security Act.

This interim rule amends the Immigration and Naturalization Service (Service) regulations to define the term "an alien who is lawfully present in the United States" so that the Social Security Administration may determine which aliens are eligible for benefits under title II of the Social Security Act. Aliens who are considered "lawfully present in the United States," however, must otherwise satisfy the requirements for benefits under title II of the Social Security Act.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Comment Period End: 11/05/96	09/06/96	61 FR 47039
Final Rule	11/00/97	

**Small Entities Affected:** None**Government Levels Affected:** State, Federal**Additional Information:** INS No. 1792-96**Agency Contact:** Derek C. Smith, Assistant General Counsel, Office of the General Counsel, Department of Justice, Immigration and Naturalization Service, 425 I Street, Room 3214, Washington, DC 20536

Phone: 202 514-2895

**RIN:** 1115-AE51**1941. AFFIDAVITS OF SUPPORT ON BEHALF OF IMMIGRANTS****Priority:** Other Significant**Legal Authority:** 8 USC 1183a; PL 104-208; PL 104-193; 8 CFR 2**CFR Citation:** 8 CFR 213a; 8 CFR 299**Legal Deadline:** Final, Statutory, November 1997.**Abstract:** This rule will amend the INS regulations by establishing that an individual (the sponsor) who files an affidavit of support under section 213A of the I&NA on behalf of an intending immigrant incurs an obligation that may be enforced by a civil action. This rule also specifies the requirements that Federal, state or local agencies or private entities must meet to request reimbursement from the sponsor for provision of means-tested public benefits, and provides procedures for imposing the civil penalty provided for under section 213A of the I&NA, if the sponsor fails to give notice of any change of address. This rule is necessary to ensure that sponsors of aliens meet their obligations under section 213A of the I&NA.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/97	
Interim Final Rule Comment Period End	01/00/98	
Final Rule	04/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** Re: INS No. 1807-96; PL 104-208, title IV and PL 104-193, Title IV**Agency Contact:** Miriam Hetfield, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536

Phone: 202 514-5014

**RIN:** 1115-AE58**1942. EMPLOYMENT VERIFICATION BY COLLECTIVE BARGAINING UNITS****Priority:** Other Significant**Legal Authority:** 8 USC 1324a; PL 104-208**CFR Citation:** 8 CFR 274a**Legal Deadline:** None**Abstract:** On September 30, 1996, the President signed the Illegal Immigration

Reform and Immigrant Responsibility Act of 1996 (IIRIRA). The INS will publish amendatory regulations adding employers who are members of an association that employs members of a collective bargaining unit under a collective bargaining agreement to those entities which may rely upon the Form I-9 completed by a previous employer within the association under prescribed terms and conditions.

**Timetable:**

Action	Date	FR Cite
Interim Rule INS No. 1817-96	11/00/97	
Final Rule INS No. 1817-96	04/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** RE: INS Docket No. 1817-96; PL 104-208, title 4**Agency Contact:** Robert J. Quin, Investigator, Office of Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street, NW-Room 1000, Washington, DC 20536  
Phone: 202 842-9236**RIN:** 1115-AE67**1943. INELIGIBILITY OF CERTAIN JUVENILE OFFENDERS FOR FAMILY UNITY PROGRAM****Priority:** Other Significant**Legal Authority:** 8 USC 1225a note; PL 104-208**CFR Citation:** 8 CFR 236.23**Legal Deadline:** None**Abstract:** On September 30, 1996, the President signed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The INS will publish a regulation implementing a new basis of ineligibility for Family Unity benefits for certain juvenile offenders.**Timetable:**

Action	Date	FR Cite
Interim Rule INS No. 1823-96	10/00/97	
Final Rule INS No. 1823-96	04/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** RE: INS No. 1823-96; PL 104-208, title III, section 38; and this regulation will affect 8 CFR 242.5 that will be renumbered 8 CFR 236.25.



## DOJ—INS

## Final Rule Stage

**Agency Contact:** Ronald Chirlin, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE72

#### 1944. ADJUSTMENT OF STATUS FOR CERTAIN POLISH OR HUNGARIAN PAROLEES

**Priority:** Other Significant

**Legal Authority:** 8 USC 1101; 8 USC 1182

**CFR Citation:** 8 CFR 245

**Legal Deadline:** None

**Abstract:** Section 646 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (PL 104-208) requires the Attorney General to establish procedures by which certain nationals of Poland or Hungary who were paroled into the United States from 1989 to 1991 may apply for adjustment to permanent resident status in the United States. An implementation policy memorandum and an interim rule are needed to make this new law effective.

**Timetable:**

Action	Date	FR Cite
Interim Rule (INS No. 1825-97)	05/23/97	62 FR 28314
Final Rule (INS No. 1825-97)	12/00/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Gerard Casale, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE74

#### 1945. REGULATIONS PERTAINING TO BATTERED ALIENS AND TO MAIL ORDER BRIDE BUSINESSES, AS MANDATED BY IIRIRA

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1641(c); PL 104-208

**CFR Citation:** 8 CFR 204

**Legal Deadline:** None

**Abstract:** The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) included a number of provisions relating to battered aliens and to mail order bride businesses. At present, INS anticipates rulemaking in the following areas.

INS No. 1845-97 is necessitated by the section 501 of IIRIRA, which provides certain types of public benefits for those aliens who have made a prima facie case for eligibility pursuant to the INS' interim rule on self-petitions by battered aliens, published at 61 FR 13061 (March 26, 1995; INS No. 1705-95). This new interim rule will define what constitutes a prima facie case.

INS No. 1838-97 will be an advance notice of proposed rulemaking to solicit public input into the regulation of certain functions of the international matchmaking industry (also referred to as "mail order bride businesses"), as required by section 652 of IIRIRA.

**Timetable:**

Action	Date	FR Cite
ANPRM INS No. 1838-97 Comments due 09/15/97	07/16/97	62 FR 38041
Interim Rule INS No. 1845-97	10/00/97	
NPRM INS No. 1838-97	11/00/97	
Final Action INS No. 1845-97	01/00/98	
Final Action INS No. 1838-97	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1838-97

**Agency Contact:** Karen FitzGerald, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE77

#### 1946. PILOT PROGRAMS TO REQUIRE BONDING IN ADDITION TO THE AFFIDAVIT OF SUPPORT

**Priority:** Other Significant

**Legal Authority:** 8 USC 1183; PL 104-208

**CFR Citation:** 8 CFR 213

**Legal Deadline:** Final, Statutory, November 1997.

**Abstract:** This rule will amend the Immigration and Naturalization Service regulations by naming five district offices of the Service which will establish and conduct a pilot program to require aliens to post a bond in addition to the affidavit requirements under section 213A of the Immigration and Nationality Act and the deeming requirements under section 421 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This rule will establish the criteria and procedures for certifying bonding companies for participation in the program and the debarment of any such company that fails to pay a bond. It will also establish the criteria for setting the amount of the bond. This rule will stipulate that the pilot program will terminate after 3 years of operation.

**Timetable:**

Action	Date	FR Cite
Interim Rule	11/00/97	
Final Rule	04/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** INS No. 1843-97; PL 104-208, title 5, Secs. 502 and 564.

**Agency Contact:** Miriam Hetfield, Staff Officer, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I Street, N.W. Room 3214, Washington, DC 20536  
Phone: 202 514-5014

**RIN:** 1115-AE78

#### 1947. ESTABLISHMENT OF PREINSPECTED AUTOMATED LANE (PAL) PROGRAM AT IMMIGRATION AND NATURALIZATION SERVICE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1225; 8 USC 1226; 8 USC 1251; 8 USC 1252; 8 USC 1357; 8 CFR 2

**CFR Citation:** 8 CFR 287; 8 CFR 299

**Legal Deadline:** None

**Abstract:** This rule amends the Immigration and Naturalization Service regulation by establishing a Preinspected Automated Lane (PAL) Program for the use of eligible persons and vehicles at immigration checkpoints within the United States.

## DOJ—INS

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
Interim Final Rule With Request for Comments by 06/17/97	04/18/97	62 FR 19024
Final Action	12/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** INS No. 1830-97

**Agency Contact:** William Carter, Border Patrol Agent, Office of Enforcement, Department of Justice, Immigration and Naturalization Service, 425 I Street, N.W. 20536, Room 4226  
Phone: 202 514-3072

**RIN:** 1115-AE80**1948. • THE EXTERNAL BOUNDARY AND THE TERRITORIAL WATERS OF THE UNITED STATES****Priority:** Info./Admin./Other

**Legal Authority:** 8 USC 1103; 8 USC 1182; 8 USC 1225; 8 USC 1226; 8 USC 1251; 8 USC 1251; 8 USC 1357; 8 CFR 2

**CFR Citation:** 8 CFR 287.1**Legal Deadline:** None

**Abstract:** This rule amends the Immigration and Naturalization Service (Service) regulations to draw a clearer distinction between the "external boundary" and the "territorial waters" of the United States. The amendment

will clarify the authority of the Service to conduct certain warrantless searches within a reasonable distance from the external boundary.

**Timetable:**

Action	Date	FR Cite
Final Action	10/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None

**Additional Information:** This amendment was recommended by the Office of Legal Counsel, Department of Justice. 17 Op. Off. Legal Counsel No. 7 (1993)

**Agency Contact:** Janice Podolny, Associate General Counsel, Chief of Examination Divisions, Department of Justice, Immigration and Naturalization Service, 425 I Street NW., Room 6100, Washington, DC 2036  
Phone: 202 514-2895  
Fax: 202 514-2895

**RIN:** 1115-AE85**1949. • AMENDMENT OF THE REGULATORY DEFINITION OF ARRIVING ALIEN**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined**Legal Authority:** 8 USC 1101; 8 CFR 2**CFR Citation:** 8 CFR 1**Legal Deadline:** None

**Abstract:** This rule amends the INS regulations by changing the regulatory definition of an arriving alien. Under section 235(b)(1)(A)(i) of the INA, which was effective on April 1, 1997, certain arriving aliens are subject to expedited removal procedures. The existing regulatory definition of arriving aliens includes parolees. As a matter of policy, the Department has decided that it is appropriate to exempt from the new expedited removal procedures aliens who were paroled into the United States before April, 1997. This rule clarifies that aliens who were paroled before April 1, 1997 will not be subjected to expedited removal. The rule also makes several changes in the wording of 1.1(q) to use language that is clearer and more consistent with the wording of the new statute.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Additional Information:** Re: INS No. 1868-97

**Agency Contact:** Linda Loveless, Inspector, Office of Examinations, Department of Justice, Immigration and Naturalization Service, 425 I NW., Room 4064, Washington, DC 20536  
Phone: 202 616-7489

**RIN:** 1115-AE87

## DEPARTMENT OF JUSTICE (DOJ)

## Long-Term Actions

## Immigration and Naturalization Service (INS)

**1950. NONIMMIGRANT CLASSES; TEMPORARY EMPLOYEES—H-2A AGRICULTURAL****Priority:** Substantive, Nonsignificant**CFR Citation:** 8 CFR 214**Timetable:**

Action	Date	FR Cite
NPRM Comment Period End 10/7/86	08/08/86	51 FR 28576
Interim Final Rule Eff. 6/1/87; Comment Period End 7/31/87	06/01/87	52 FR 20554
2nd Interim Final Rule	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Michael Strauss

Phone: 202 514-5014

**RIN:** 1115-AA25**1951. FIELD OFFICERS; POWERS AND DUTIES; SUBPOENA****Priority:** Routine and Frequent**CFR Citation:** 8 CFR 287**Timetable:**

Action	Date	FR Cite
NPRM	09/26/91	56 FR 48766
NPRM Comment Period End	10/28/91	
Final Action	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** Federal

**Agency Contact:** Ronald W. Dodson  
Phone: 202 514-0747

**RIN:** 1115-AB63**1952. TERMINATION OF TEMPORARY RESIDENT STATUS****Priority:** Other Significant**CFR Citation:** 8 CFR 210**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Federal

**Agency Contact:** Kathy Redman  
Phone: 202 514-5014

**RIN:** 1115-AB74

## DOJ—INS

## Long-Term Actions

**1953. TEMPORARY ALIEN WORKERS SEEKING CLASSIFICATION UNDER THE IMMIGRATION AND NATIONALITY ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 8 CFR 214**Timetable:**

Action	Date	FR Cite
NPRM Comment Period Ends 8-12-91 (INS No. 1417-91)	07/11/91	56 FR 31553
Final Rule Eff. 10/1/91 (INS No. 1417-91)	12/02/91	56 FR 61111
Final Rule Correction (INS No. 1417-91)	01/08/92	57 FR 749
Interim Final Rule Com. Due 6/8/92 (INS No. 1454-92)	04/09/92	57 FR 12179
Interim Final Rule Com. End 6/8/92 (INS No. 1452-92)	04/09/92	57 FR 12177
Interim Final Rule Eff. 3/31/92 (INS No. 1452-92)	04/09/92	57 FR 12177
Interim Final Rule Eff. 4/1/92 (INS No. 1454-92)	04/09/92	57 FR 12179
NPRM (INS 1653-94) Comment Period End 10/14/94	08/15/94	59 FR 41843
Final Action (INS No. 1653-94)	04/16/97	62 FR 18508
Final Rule Correction (INS No. 1653-94)	09/03/97	62 FR 46533
Next Action Undetermined		

**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal**Agency Contact:** John Brown  
Phone: 202 514-3240**RIN:** 1115-AC72**1954. F, J, AND M NONIMMIGRANT STUDENT REQUIREMENTS FOR ADMISSION, TRACKING, MAINTENANCE OF STATUS AND FOR EMPLOYMENT AUTHORIZATION****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 8 CFR 214; 8 CFR 274a**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/20/92	57 FR 31954

Action	Date	FR Cite
Interim Final Rule Eff. 7-20-92; Com. Due 9-18-92	07/20/92	57 FR 31954
Notice of Pilot Program (INS 1800)	01/17/97	62 FR 26851
Proposed Rule (INS 1458)	03/00/99	
Final Rule (INS No. 1458)	10/00/99	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Maurice Berez  
Phone: 202 514-3228**RIN:** 1115-AD16**1955. EXECUTING FINAL ORDER OF EXCLUSION OR DEPORTATION; CONFORMING 72-HOUR NOTICE PROVISIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 8 CFR 237; 8 CFR 243**Timetable:**

Action	Date	FR Cite
NPRM	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Cristina Hamilton  
Phone: 202 514-2895**RIN:** 1115-AD71**1956. REGULATION CHANGES NECESSITATED BY THE BREAK-UP OF THE SOVIET UNION AND CZECHOSLOVAKIA, THE UNIFICATION OF THE TWO GERMANIES, AND THE NAME CHANGE OF THE DEMOCRATIC REPUBLIC OF VIETNAM****Priority:** Other Significant**CFR Citation:** 8 CFR 212**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Robert Hutnick  
Phone: 202 514-3019**RIN:** 1115-AD96**1957. NOTICE OF POLICY REGARDING FINES IMPOSED ON CARRIERS WHO BRING ALIENS TO THE UNITED STATES WITHOUT PROPER DOCUMENTATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 8 CFR 273**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Robert Hutnick  
Phone: 202 514-3019**RIN:** 1115-AE09**1958. "MASTER EXHIBITS" CURRENTLY AVAILABLE****Priority:** Other Significant**CFR Citation:** 8 CFR 208**Timetable:**

Action	Date	FR Cite
Notice (To Be Published Upon Availability of New Exhibits)	00/00/00	

**Small Entities Affected:** Organizations**Government Levels Affected:** Federal**Agency Contact:** John D. Evans  
Phone: 202 305-2673

Fax: 202 305-2796

Email: evans@justice.usdoj.gov

**RIN:** 1115-AE14**1959. EMPLOYER SANCTIONS MODIFICATIONS****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 8 CFR 274a**Timetable:**

Action	Date	FR Cite
Interim Final Rule (INS 1738)	10/07/96	61 FR 52235
Correction (Final Rule)	10/29/96	61 FR 55840
Final Rule (INS No. 1738)	00/00/00	
Proposed Rule (INS 1737)	00/00/00	

**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Agency Contact:** Angelo Sorrento

## DOJ—INS

## Long-Term Actions

Phone: 202 514-0747

RIN: 1115-AE21

**1960. EFFECT OF PAROLE OF CUBAN AND HAITIAN NATIONALS ON RESETTLEMENT ASSISTANCE ELIGIBILITY****Priority:** Other Significant**CFR Citation:** 8 CFR 212**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/12/96	61 FR 36610
Interim Rule Comment Period End	09/10/96	61 FR 36610
Final Action	00/00/00	

**Small Entities Affected:** Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Federal**Agency Contact:** Janice Podolny  
Phone: 202 514-2895

RIN: 1115-AE29

**1961. IMMIGRATION AND NATURALIZATION SERVICE P-1 NONIMMIGRANTS****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 8 CFR 214**Timetable:**

Action	Date	FR Cite
Notice of Establishment of an Advisory Committee; Statement of Qualifications Due 5-7-96	03/08/96	61 FR 9498
NPRM	00/00/00	

**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** Federal**Agency Contact:** John Brown  
Phone: 202 514-5014

RIN: 1115-AE38

**1962. ORDER TO SHOW CAUSE AND NOTICE OF HEARING; APPREHENSION, CUSTODY AND DETENTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 8 CFR 242**Timetable:**

Action	Date	FR Cite
Final Action	00/00/00	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Robert Hutnick  
Phone: 202 616-7499

RIN: 1115-AE57

## DEPARTMENT OF JUSTICE (DOJ)

## Completed Actions

## Immigration and Naturalization Service (INS)

**1963. CONTRACTS WITH TRANSPORTATION LINES; INCREASING THE LIQUIDATED DAMAGES FOR CARRIER VIOLATIONS OF THE TWOV AGREEMENT TO \$3000****Priority:** Substantive, Nonsignificant**CFR Citation:** 8 CFR 238**Completed:**

Reason	Date	FR Cite
Combined With RIN 1115-AE37	07/16/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Robert Hutnick  
Phone: 202 514-2694

RIN: 1115-AC17

**1964. MARRIAGE DURING DEPORTATION OR EXCLUSION PROCEEDINGS; BONA FIDE MARRIAGE EXEMPTION TO PROHIBITION AGAINST APPROVAL OF RELATIVE VISA PETITION OR ADJUSTMENT OF STATUS****Priority:** Substantive, Nonsignificant**CFR Citation:** 8 CFR 204; 8 CFR 245**Completed:**

Reason	Date	FR Cite
Withdrawn by Program Office	07/24/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Rita Arthur  
Phone: 202 514-5014

RIN: 1115-AC43

**1965. TREATY ALIENS, E CLASSIFICATION****Priority:** Other Significant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**CFR Citation:** 8 CFR 214**Completed:**

Reason	Date	FR Cite
Final Action	09/12/97	62 FR 48138
Final Action Effective	11/12/97	

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** Federal**Agency Contact:** Katharine A. Lorr  
Phone: 202 514-5014

RIN: 1115-AC51

**1966. UNAVAILABILITY OF TWOV TO CITIZENS OF THE FORMER SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA****Priority:** Other Significant**CFR Citation:** 8 CFR 212**Completed:**

Reason	Date	FR Cite
Combined With RIN 1115-AD96 per Program Office	07/23/97	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Robert Hutnick  
Phone: 202 514-2694

RIN: 1115-AC87

**1967. ISSUANCE OF CHARGING DOCUMENTS BY ASYLUM OFFICERS****Priority:** Other Significant**CFR Citation:** 8 CFR 103; 8 CFR 208; 8 CFR 236; 8 CFR 242; 8 CFR 274a

## DOJ—INS

## Completed Actions

**Completed:**

Reason	Date	FR Cite
Withdrawn by the Program Office	07/10/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Christine Davidson  
Phone: 202 305-2663

**RIN:** 1115-AD64

**1968. WAIVER OF THE TWO-YEAR HOME COUNTRY PHYSICAL PRESENCE REQUIREMENT FOR CERTAIN FOREIGN MEDICAL GRADUATES**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 212; 8 CFR 245; 8 CFR 248

**Completed:**

Reason	Date	FR Cite
Final Action	04/16/97	62 FR 18506
Final Action Effective	04/16/97	

**Small Entities Affected:** None

**Government Levels Affected:** State, Federal

**Agency Contact:** Sophia Cox  
Phone: 202 514-5014

**RIN:** 1115-AD89

**1969. PREINSPECTION SERVICES FOR AIRCRAFT, VESSELS, AND TRAINS OUTSIDE THE UNITED STATES (PREINSPECTION)**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 235

**Completed:**

Reason	Date	FR Cite
Withdrawn by Program Office; Incorporated Into INS No. 1788	07/16/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Bill Plunges  
Phone: 202 514-3019

**RIN:** 1115-AD98

**1970. NOTICE TO CARRIERS OF THE INS POLICY ON THE REQUIREMENTS OF ARRIVAL/DEPARTURE MANIFESTS, FORM I-94, AND FINES IMPLICATIONS UNDER SECTION 231(A)**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 231

**Completed:**

Reason	Date	FR Cite
Withdrawn by Program Office; Combined With RIN 1115-AE37	07/16/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** Robert Hutnick  
Phone: 202 514-3019

**RIN:** 1115-AE11

**1971. RECOGNIZED PROVIDERS OF IMMIGRATION ASSISTANCE AND FORMS PREPARATION SERVICES**

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 8 CFR 292; 8 CFR 310

**Completed:**

Reason	Date	FR Cite
Withdrawn by Program Office	08/01/97	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Federal

**Agency Contact:** Jody Marten  
Phone: 202 514-5014

**RIN:** 1115-AE18

**1972. ACQUISITION OF CITIZENSHIP; EQUAL TREATMENT OF WOMEN IN CONFERRING CITIZENSHIP TO CHILDREN BORN ABROAD**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 301

**Completed:**

Reason	Date	FR Cite
Final Action	07/25/97	62 FR 39926

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jane Barker  
Phone: 202 514-5014

**RIN:** 1115-AE19

**1973. PERIODS OF LAWFUL TEMPORARY RESIDENT STATUS AND LAWFUL PERMANENT RESIDENT STATUS TO ESTABLISH SEVEN YEARS OF LAWFUL DOMICILE**

**Priority:** Substantive, Nonsignificant

**CFR Citation:** 8 CFR 212

**Completed:**

Reason	Date	FR Cite
Final Action	08/14/97	62 FR 43466
Final Action Effective	08/14/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** David Dixon  
Phone: 703 756-6257

**RIN:** 1115-AE27

**1974. REGISTRATION OF ALIENS ON CRIMINAL PROBATION OR CRIMINAL PAROLE**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 264; 8 CFR 299

**Completed:**

Reason	Date	FR Cite
Withdrawn by Program Office	07/11/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Joseph Calemine  
Phone: 202 305-2316

**RIN:** 1115-AE65

**1975. EMPLOYER SANCTIONS: MISCELLANEOUS PROVISIONS**

**Priority:** Other Significant

**CFR Citation:** 8 CFR 264; 8 CFR 274a

**Completed:**

Reason	Date	FR Cite
Withdrawn - Incorporated Into Document Reduction NPRM	07/14/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Robert J. Quin  
Phone: 202 514-2998

**RIN:** 1115-AE66

## DOJ—INS

## Completed Actions

**1976. ADDITION OF ORGANIZATION TO LISTING OF AMERICAN INSTITUTIONS OF RESEARCH RECOGNIZED BY THE ATTORNEY GENERAL****Priority:** Routine and Frequent**CFR Citation:** 8 CFR 316**Completed:**

Reason	Date	FR Cite
Final Action - INS No. 1861-97	09/19/97	62 FR 49131
Final Action Effective	10/20/97	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Jane Barker  
Phone: 202 514-5014**RIN:** 1115-AE84**DEPARTMENT OF JUSTICE (DOJ)**

## Proposed Rule Stage

**Legal Activities (LA)****1977. FEDERAL CLAIMS COLLECTION STANDARDS (FCCS)****Priority:** Substantive, Nonsignificant**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 31 USC 3711(e)(2)**CFR Citation:** 31 CFR 295 to 299; 31 CFR 900 to 904**Legal Deadline:** None**Abstract:** The Federal Claims Collection Standards (FCCS) are issued jointly by the Secretary of the Treasury and the Attorney General. These regulations prescribe the standards for the administrative collection, compromise, termination of agency collection, and the referral to the Department of Justice for litigation, of civil claims by the Federal Government for money or property. The Department of Justice and the Department of the Treasury are issuing this rule to revise and update the FCCS in order to reflect changes in the substantive law and in government procedures that have taken place since the standards were last issued in March 1984.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** Undetermined**Government Levels Affected:** State, Federal**Agency Contact:** Kathleen A. Haggerty, Director, Debt Collection Management, Department of Justice, Liberty Place Bldg., Second Floor South, 325 7th St. NW., Washington, DC 20530  
Phone: 202 514-5343

Fax: 202 514-1965

**RIN:** 1105-AA31**1978. FALSE CLAIMS AMENDMENTS ACT OF 1986—CIVIL INVESTIGATIVE DEMANDS****Priority:** Info./Admin./Other**Legal Authority:** 31 USC 3733**CFR Citation:** 28 CFR 28**Legal Deadline:** None**Abstract:** This rule implements and clarifies the provisions concerning civil investigative demands (CIDs) in section 6(a) of the False Claims Amendments Act of 1986, 31 USC 3733. In particular, this rule 1) delegates certain delegable powers and responsibilities that the statute vests in the Attorney General to the Assistant Attorney General for the Civil Division and to the U.S. Attorneys; 2) specifies which United States employees may have access to information produced in response to CIDs; 3) clarifies that Department trial attorneys, in certain circumstances, have authority unilaterally to alter certain features of oral examinations taken pursuant to CIDs, such as date, time, and place; and 4) clarifies the statutory provision allowing Department attorneys to make "official use" of CID material in connection with cases and proceedings, by defining "official use."**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Michael F. Hertz, Director, Commercial Litigation Branch, Department of Justice, Civil Division, P.O. Box 261, Washington, DC 20044

Phone: 202 514-7179

**RIN:** 1105-AA42**1979. IMPLEMENTATION OF THE NATIONAL STOLEN PASSENGER MOTOR VEHICLE INFORMATION SYSTEM (NSPMVIS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 49 USC 33109 to 33111**CFR Citation:** 28 CFR 89**Legal Deadline:** None**Abstract:** The Attorney General is required to establish a National Stolen Passenger Motor Vehicle Information System pursuant to the Anti Car Theft Act of 1992 (49 USC 33109 to 33111). The FBI is coordinating efforts in this matter and, under delegated authority from the Attorney General, the FBI is issuing this rule to establish a national system to verify the theft status of major motor vehicle component parts. The system will include certain information about each passenger motor vehicle reported to a law enforcement agency as stolen and not recovered. The rule provides how an individual or entity may obtain information from the system on whether a vehicle or part is listed as stolen. The rule also provides verification procedures to be followed by insurance carriers and certain motor vehicle part businesses.**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local, Tribal, Federal**Agency Contact:** Dan Dubree, Planning Unit Chief, Department of Justice, Federal Bureau of Investigation, CJIS

## DOJ—LA

## Proposed Rule Stage

Division, Module C-3, 1000 Custer  
Hollow Road, Clarksburg, WV 26306  
Phone: 304 625-2751  
Fax: 304 625-3875

RIN: 1105-AA44

## 1980. FILING OF INFORMATIONAL MATERIALS

**Priority:** Info./Admin./Other

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 22 USC 611 et seq  
Foreign Agents Registration Act of 1938

**CFR Citation:** 28 CFR 5.5(d)(10); 28 CFR 5.5(d)(11); 28 CFR 5.100(c); 28 CFR 5.100(d); 28 CFR 5.200(b); 28 CFR 5.201(a)(1); 28 CFR 5.201(a)(2); 28 CFR 5.202(b); 28 CFR 5.202(e); 28 CFR 5.203(e); 28 CFR 5.204(a); 28 CFR 5.205(a); 28 CFR 5.206(b); 28 CFR 5.304(c); 28 CFR 5.306(a); ...

**Legal Deadline:** None

**Abstract:** As a result of the passage of the Lobbying Disclosure Act of 1995 (LDA), the Foreign Agents Registration Unit of the Criminal Division is issuing a new regulation concerning changes in the Foreign Agents Registration Act of 1938, as amended, 22 USC 611, et seq (FARA). These regulations replace the term "political propaganda" in the existing regulations with "informational materials" as provided in the LDA and make other changes to the FARA regulations required by the passage of the LDA. The regulations also make other modifications to the existing regulations to facilitate the administration of FARA. In addition, this rule modifies existing regulations to more accurately match the Department's revenue and expenses by in administering FARA by increasing filing and other fees.

### Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Additional Information:** CFR Citations continued: 28 CFR 5.306(b); 28 CFR 5.307; 28 CFR 5.400; 28 CFR 5.401; 28

CFR 5.402; 28 CFR 5.500(a)(4); 28 CFR 5.600; 28 CFR 5.601(a); 28 CFR 5.601(b).

**Agency Contact:** Marshall R. Williams, Chief, Registration Unit, Internal Security Section, Department of Justice, Criminal Division, 1400 NY Ave., NW., Room 9300, Washington, DC 20530  
Phone: 202 514-1216  
Fax: 202 514-2836

RIN: 1105-AA45

## 1981. GUIDELINES FOR MEGAN'S LAW AND THE JACOB WETTERLING CRIMES AGAINST CHILDREN AND SEXUALLY VIOLENT OFFENDER REGISTRATION ACT

**Priority:** Other Significant

**Legal Authority:** PL 104-145, Megan's Law; PL 103-322, sec 170101, Violent Crime Cntl & Law Enf Act, 1994

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** Megan's Law, PL 104-145, amended subsection (d) of section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, PL 103-322 (codified at 42 USC 14071), which contains the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (the "Wetterling Act"). The Wetterling Act encourages States to establish registration systems for persons who are: (1) convicted of a criminal offense against a victim who is a minor; (2) convicted of a sexually violent offense; or (3) found to be a sexually violent predator. The Department of Justice published Final Guidelines implementing the Wetterling Act on April 4, 1996 at 61 FR 15110.

The provisions of the Wetterling Act amended by Megan's Law relate to the release of registration information. Megan's Law (1) eliminates a general requirement that information collected under State registration programs be treated as private data, and (2) substitutes mandatory language for previously permissive language concerning the release of relevant information that is necessary to protect the public concerning registered offenders. On July 21, 1997 at 62 FR 39009 the Department published Final Guidelines implementing Megan's Law and also clarifying other provisions of the Wetterling Act based upon experience gained from working with

States concerning their sex offender registration systems.

The Pam Lychner Sexual Offender Tracking and Identification Act, among other things, 1) requires the Attorney General to establish a national database at the FBI to track convicted sex offenders and 2) requires the FBI to handle registration directly for sex offenders residing in States that do not have "minimally sufficient" sex offender registration programs (as defined by the Act). The FBI will be issuing regulations to carry out its responsibilities under the Lychner Act (See RIN 1105-AA56).

The Lychner Act also amends the Wetterling Act to prescribe more stringent registration requirements in some areas. States have until October 3, 1999 to comply with the provisions of the Lychner Act that amend the Wetterling Act. The Attorney General will be issuing guidelines implementing these new requirements. The Attorney General also may grant a 2-year extension for States that are making good faith efforts to come into compliance.

### Timetable:

Action	Date	FR Cite
NPRM	04/04/97	62 FR 16180
NPRM Comment Period End	06/03/97	

### Lychner Act

Proposed Guidelines 10/00/97

### Megan's Law/Wetterling

Proposed Guidelines 04/04/97 (62 FR 16180)

Final Guidelines 07/21/97 (62 FR 39009)

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Bonnie J. Campbell, Director, Violence Against Women Office, Department of Justice, 950 Pennsylvania Ave. NW., Washington, DC 20530

Phone: 202 616-8894

RIN: 1105-AA50

## 1982. OPERATION OF THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 18 USC 922 to 925  
Brady Handgun Violence Prevention Act

**CFR Citation:** 28 CFR 20

## DOJ—LA

## Proposed Rule Stage

**Legal Deadline:** Other, Statutory, November 30, 1998.

The Brady Handgun Violence Prevention Act requires the NICS be established not later than 60 months after enactment (11/30/93).

**Abstract:** This rule notifies State and local law enforcement agencies and Federal Firearms Licensees of the establishment of the National Instant Check System (NICS) and sets forth policies and procedures regarding use of the system, including regulations pertaining to the security and privacy of information.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/98	
NPRM Comment Period End	03/00/98	

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Emmet A. Rathbun, Research and Development Unit, Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Div., 1000 Custer Hollow Road, Clarksburg, WV 26306  
Phone: 304 625-2000  
Fax: 304 625-3875

**RIN:** 1105-AA51

### 1983. • JUSTICE ACQUISITION REGULATIONS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or

duplication, or streamline requirements.

**Legal Authority:** 28 USC 510; 40 USC 486(c)

**CFR Citation:** 48 CFR 28

**Legal Deadline:** None

**Abstract:** Part 28 of Title 48 of the Code of Federal Regulations is being revised in its entirety to implement changes resulting from the Federal Acquisition Streamlining Act, the Federal Acquisition Reform Act and recommendations of the National Performance Review.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Procurement:** This is a procurement-related action for which there is no statutory requirement. There is no paperwork burden associated with this action.

**Agency Contact:** Janis A. Sposato, Procurement Executive, Department of Justice, 950 Pennsylvania Ave NW., Room 1111, Washington, DC 20530  
Phone: 202 514-3101  
Fax: 202 616-6695

**RIN:** 1105-AA55

### 1984. • IMPLEMENTATION OF THE PAM LYCHNER SEXUAL OFFENDER TRACKING AND IDENTIFICATION ACT

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** PL 104-236, sec 9

**CFR Citation:** Not yet determined

**Legal Deadline:** Other, Statutory, October 3, 1997.

The Act does not distinguish between NPRM and Final regulations.

**Abstract:** The FBI is issuing regulations to carry out the Pam Lychner Sexual Offender Tracking and Identification Act of 1996. These regulations include guidelines as to the operation and use of the interim national sex offender registry established by the FBI, and the notice to be provided to the FBI in the event a registered sex offender moves interstate. The regulations also set forth the procedures to be followed by the FBI in registering convicted sex offenders who reside in States that do not have minimally sufficient sex offender registration programs as defined in the Pam Lychner Act, PL 104-236, sec. 2.

**Timetable:**

Action	Date	FR Cite
NPRM	10/00/97	
NPRM Comment Period End	12/00/97	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Ralph Charles Thomas, Federal Bureau of Investigation, Department of Justice, 935 Pennsylvania Ave. NW., Washington, DC 20535  
Phone: 202 324-3000

**RIN:** 1105-AA56

## DEPARTMENT OF JUSTICE (DOJ)

## Final Rule Stage

## Legal Activities (LA)

### 1985. PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

**Priority:** Other Significant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 5 USC 552; 5 USC 552a

**CFR Citation:** 28 CFR 16 subparts A and D

**Legal Deadline:** Final, Statutory, October 2, 1997.

**Abstract:** Updating and revision of Department of Justice regulations implementing the Freedom of Information Act and the Privacy Act of 1974. The sections of law covered by this regulation were the subject of legislation enacted near the end of the 104th Congress. The Office of

Information and Privacy (OIP) reserved action on these regulations until the legislation was passed and is now proceeding with revisions to the regulations.

**Timetable:**

Action	Date	FR Cite
NPRM	08/26/97	62 FR 45184
NPRM Comment Period End	09/25/97	
Final Action	06/00/98	



DOJ—LA

Final Rule Stage

**Small Entities Affected:** None**Government Levels Affected:** Federal

**Agency Contact:** Janice Galli McLeod, Attorney, Department of Justice, Office of Information & Privacy, Flag Building, Suite 570, Washington, DC 20530  
Phone: 202 514-4453  
Fax: 202 514-1009

**RIN:** 1105-AA20

# 1986. IMPLEMENTATION OF SECTIONS 104 AND 109 OF THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT

**Priority:** Other Significant**Legal Authority:** PL 103-414

Communications Assistance for Law Enforcement Act; PL 104-208 Omnibus Consolidated Appropriations Act of 1997

**CFR Citation:** 28 CFR 100**Legal Deadline:** Other, Statutory, October 25, 1998.

CALEA requires telecommunications carriers to be in compliance with section 103 by 10/25/98. These regulations assist carriers to meet their obligations under CALEA.

**Abstract:** As required by section 109 of the Communications Assistance for Law Enforcement Act (CALEA), the FBI promulgated Cost Recovery Regulations allowing telecommunications carriers to recover certain costs associated with implementing CALEA. A final rule was published on March 20, 1997 (62 FR 13307) and became effective on April 21, 1997. In response to public comments received during this rulemaking, on November 19, 1996 (61 FR 58799) the FBI published an ANPRM soliciting input from the telecommunications industry and the general public on the terms "significant upgrade" and "major modification." The FBI is currently drafting an NPRM defining these terms which it anticipates publishing not later than the first quarter of calendar year 1998.

Additionally, on September 30, 1996, the President signed into law the Omnibus Consolidated Appropriations Act of 1997 (PL 104-208), which expanded the eligibility for CALEA reimbursement to include both equipment manufacturers and support service providers. By late 1997, the FBI anticipates publishing an Interim rule with request for comments defining the costs eligible for recovery under

CALEA for these newly eligible entities. Finally, CALEA section 104 requires the Attorney General to publish a Notice of Actual and Maximum Capacity in order to provide telecommunications carriers with the information they will need to meet law enforcement's future simultaneous electronic surveillance requirements. The FBI published an Initial Notice of Capacity on October 16, 1995 (60 FR 53643) and a Second Notice of Capacity on January 14, 1997 (62 FR 1902). The FBI anticipates publishing a Final Notice of Capacity not later than the first quarter of calendar year 1998.

## Timetable:

Action	Date	FR Cite
NPRM	05/10/96	61 FR 21396
NPRM Comment Period End	07/09/96	
<b>"Significant upgrade" &amp; "Major modification"</b>		
ANPRM Soliciting Input on Terms	11/19/96	(61 FR 58799)
NPRM Proposing Definitions of Terms	02/00/98	
<b>Cost Recovery Rule (Equipment Mfr. &amp; Support Service Providers)</b>		
Interim Rule & Request for Comments	02/00/98	
<b>Cost Recovery Rule (Telecom. Carriers)</b>		
Final Rule	03/20/97	(62 FR 13307)
Final Rule Effective	04/21/97	
<b>Notice of Actual and Maximum Capacity</b>		
Initial Notice	10/16/95	(60 FR 53643)
Second Notice	01/14/97	(62 FR 1902)
Final Notice	01/00/98	

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Walter V. Meslar, Unit Chief, Telecommunications Contracts and Audit Unit, Department of Justice, Federal Bureau of Investigation, 14800 Conference Center Dr., Suite 300, Chantilly, VA 20151  
Phone: 703 814-4900  
Fax: 703 814-4730

Michael A. Ponzo, Acting Unit Chief, Telecommunications Industry Liaison Unit, Department of Justice, Federal Bureau of Investigation, 14800 Conference Center Drive, Suite 300, Chantilly, VA 20151  
Phone: 703 814-4807  
Fax: 703 814-4760

**RIN:** 1105-AA39

# 1987. CIVIL MONETARY PENALTIES INFLATION ADJUSTMENT

**Priority:** Info./Admin./Other

**Legal Authority:** PL 101-410 Fed. Civ. Monetary Penalties Inflation Adj. Act-1990; PL 104-134, sec 31001 Debt Collection Improvement Act of 1996

**CFR Citation:** 28 CFR 50.22 (New)**Legal Deadline:** Final, Statutory, October 23, 1996.

**Abstract:** The Federal Civil Monetary Penalties Inflation Adjustment Act of 1990, PL 101-410, hereinafter, Adjustment Act, provided for the regular evaluation of civil monetary penalties to ensure that they continued to maintain their deterrent value and that penalty amounts due the Federal Government were properly accounted for and collected. On April 26, 1996, President Clinton signed into law the Omnibus Consolidated Recissions and Appropriations Act of 1996, PL 104-134, hereinafter, Omnibus Act. Section 31001 of the Omnibus Act (also known as the Debt Collection Improvement Act of 1996, hereinafter, Improvement Act, amended section 4 of the Adjustment Act to require the head of each agency to by regulation adjust each civil monetary penalty provided by law within the jurisdiction of the agency and to publish such regulation in the Federal Register.

Any increase in a civil monetary penalty made pursuant to the Improvement Act shall apply only to violations which occur after the date the increase takes effect. The first adjustment of a civil monetary penalty made pursuant to the Improvement Act may not exceed 10 percent of such penalty. The adjustment for inflation required by the Adjustment Act must be done every four years. This regulation fulfills the Attorney General's obligations under the Improvement Act.

## Timetable:

Action	Date	FR Cite
Final Action	10/00/97	
Final Action Effective	11/00/97	

**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Robert Hinchman, Attorney-Advisor, Department of Justice, Office of Policy Development, 950 Pennsylvania Ave. NW., Washington, DC 20530  
Phone: 202 514-8059

## DOJ—LA

## Final Rule Stage

Fax: 202 514-9112

RIN: 1105-AA48

**1988. RADIATION EXPOSURE  
COMPENSATION ACT: EVIDENTIARY  
REQUIREMENTS; DEFINITIONS AND  
NUMBER OF CLAIMS FILED****Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.**Legal Authority:** 42 USC 2210 note  
Radiation Exposure Compensation Act  
of 1990**CFR Citation:** 28 CFR 79**Legal Deadline:** None**Abstract:** The Department of Justice is  
amending its existing regulations  
implementing the Radiation Exposure  
Compensation Act to: 1) allow  
claimants to submit affidavits or  
declarations in support of a claim  
under certain circumstances; 2) allow  
the use of high resolution computer  
tomography reports and pathology  
reports of tissue biopsies as additional  
means by which claimants can present  
evidence of a compensable non-  
malignant respiratory disease; 3) amend  
the definitions of "smoker" and "non-  
smoker"; 4) include in situ lung  
cancers under the definition of primary  
cancers of the lung; and 5) allow  
claimants who have filed claims prior  
to the implementation of this regulation  
and have been denied compensation to  
file another three times.**Timetable:**

Action	Date	FR Cite
NPRM	05/23/97	62 FR 28393
NPRM Comment Period End	07/22/97	

Action	Date	FR Cite
Reopening of Comment Period (Comments Due by 09/29/97)	08/29/97	62 FR 45774
Final Action	03/00/98	

**Small Entities Affected:** None**Government Levels Affected:** Federal**Agency Contact:** Gerald W. Fischer,  
Assistant Director, Department of  
Justice, Radiation Exposure  
Compensation Program, P.O. Box 146,  
Ben Franklin Station, Washington, DC  
20044-0146  
Phone: 202 616-4090

RIN: 1105-AA49

**1989. • PROCEDURES TO REVIEW  
REMOVALS AND SUSPENSIONS OF  
STANDING TRUSTEES AND PANEL  
TRUSTEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 28 USC  
509; 28 USC 510; 28 USC 586**CFR Citation:** 28 CFR 58.6**Legal Deadline:** None**Abstract:** The United States Trustee  
Program is the component of the  
Department of Justice charged with the  
responsibility of supervising the  
administration of bankruptcy cases and  
trustees. The Program consists of a  
Director and 21 United States Trustees.  
United States Trustees appoint and  
supervise standing trustees (private  
individuals who administer cases filed  
under chapters 12 and 13 of the  
Bankruptcy Code) and panel trustees  
(private individuals who administercases filed under chapter 7 of the  
Code).To ensure that panel and standing  
trustees properly discharge their  
fiduciary responsibilities, United States  
Trustees have the power to suspend or  
terminate the assignment of cases to  
panel trustees and--with the  
concurrence of the Attorney General--  
the power to suspend or terminate the  
assignment of cases to standing  
trustees. The Program encourages  
trustees who have complaints (for  
example, about their removal) to first  
seek resolution through the appropriate  
United States Trustee and then through  
the Director, Executive Office for  
United States Trustees. This rule  
specifies the method by which a trustee  
may request review, the manner in  
which that review will be conducted,  
and the standard the Director will  
employ in making a determination.**Timetable:**

Action	Date	FR Cite
NPRM	05/23/97	62 FR 28391
NPRM Comment Period End	07/22/97	
Final Action	01/00/98	
Final Action Effective	02/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** P. Matthew Sutko,  
Attorney, Executive Office of U.S.  
Trustees, Department of Justice, 901 E  
Street, NW., Suite 780, Washington, DC  
20530  
Phone: 202 307-1399  
Fax: 202 307-2397

RIN: 1105-AA54

**DEPARTMENT OF JUSTICE (DOJ)  
Legal Activities (LA)**

## Long-Term Actions

**1990. CRIMINAL FINES  
ENFORCEMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 28 CFR 72**Timetable:** Next Action Undetermined**Small Entities Affected:** None**Government Levels Affected:**  
Undetermined**Agency Contact:** Lynne Solien  
Phone: 202 616-6444

RIN: 1105-AA16

**1991. VIOLENT CRIME AND DRUG  
EMERGENCY AREAS****Priority:** Other Significant**CFR Citation:** 28 CFR 92 (New)**Timetable:** Next Action Undetermined**Small Entities Affected:** Governmental  
Jurisdictions**Government Levels Affected:** State,  
Local, Tribal, Federal**Agency Contact:** Robert Hinchman  
Phone: 202 514-8059

Fax: 202 514-8639

RIN: 1105-AA29

**1992. FEDERAL CONVICTED  
OFFENDER DNA DATABASE  
PROGRAM****Priority:** Substantive, Nonsignificant**CFR Citation:** 28 CFR Not yet  
determined**Timetable:** Next Action Undetermined**Small Entities Affected:** None

## DOJ—LA

## Long-Term Actions

**Government Levels Affected:** Federal  
**Agency Contact:** Dawn Herkenham

Phone: 202 324-9447  
 Fax: 202 324-1276

**RIN:** 1105-AA52

## DEPARTMENT OF JUSTICE (DOJ)

### Legal Activities (LA)

## Completed Actions

#### 1993. QUALIFICATIONS FOR CHAPTER 13 STANDING TRUSTEES

**Priority:** Routine and Frequent

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**CFR Citation:** 28 CFR 58

**Completed:**

Reason	Date	FR Cite
Final Action	06/02/97	62 FR 30172
Final Action Effective	07/02/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Esther I. Estryn  
 Phone: 202 307-1399

**RIN:** 1105-AA32

#### 1994. CHILD PROTECTION RESTORATION AND PENALTIES ENHANCEMENT ACT OF 1990

**Priority:** Info./Admin./Other

**CFR Citation:** 28 CFR 75

**Completed:**

Reason	Date	FR Cite
Withdrawn - No action expected in next 12 months.	08/01/97	

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Terry R. Lord  
 Phone: 202 514-5780  
 Fax: 202 514-1793

**RIN:** 1105-AA46

#### 1995. CLASSIFIED NATIONAL SECURITY INFORMATION AND ACCESS TO CLASSIFIED INFORMATION

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**CFR Citation:** 28 CFR 17

**Completed:**

Reason	Date	FR Cite
Final Action	07/10/97	62 FR 36984
Final Action Effective	08/11/97	

**Small Entities Affected:** None

**Government Levels Affected:** Federal

**Agency Contact:** D. Jerry Rubino  
 Phone: 202 514-2094

**RIN:** 1105-AA53

## DEPARTMENT OF JUSTICE (DOJ)

### Office of Justice Programs (OJP)

## Proposed Rule Stage

#### 1996. CONFIDENTIALITY OF IDENTIFIABLE RESEARCH AND STATISTICAL INFORMATION

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 42 USC 3789g(a)

**CFR Citation:** 28 CFR 22

**Legal Deadline:** None

**Abstract:** This part provides guidance on complying with the requirements of 42 USC 3789g(a), which requires grantees to maintain strict confidentiality in research or statistical information that is identifiable to an individual, and provides that such information may only be used for the purposes for which it was collected. Although this rule needs to be retained to protect personal privacy interests, as required by law, it will be reinvented

to reflect changes in statutory authority, and to ensure that its requirements are as responsive as possible to practical implementation issues of concern to affected State and local governments and individuals.

**Timetable:**

Action	Date	FR Cite
NPRM	04/00/98	
NPRM Comment Period End	06/00/98	

**Small Entities Affected:** Undetermined

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** John L. Pensinger, Office of the General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531  
 Phone: 202 307-0790

**RIN:** 1121-AA33

#### 1997. CRIMINAL JUSTICE BLOCK GRANTS

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 42 USC 3711 et seq

**CFR Citation:** 28 CFR 33

**Legal Deadline:** None

**Abstract:** This part defines eligibility criteria and procedures for applications and administration for State and local government block grant programs, in order to ensure effective agency stewardship of Federal funds. Although the rule needs to be retained to implement this statutory grant program, it will require reinvention in order to reflect changes in the authorizing statutory authority, and to ensure that its requirements are as responsive as possible to the practical implementation issues of concern to affected State and local governments.

## DOJ—OJP

## Proposed Rule Stage

## Timetable:

Action	Date	FR Cite
NPRM	01/00/98	
NPRM Comment Period End	03/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** John L. Pensinger, Office of the General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531  
Phone: 202 307-0790

**RIN:** 1121-AA34

### 1998. PRIVATE SECTOR/PRISON INDUSTRY ENHANCEMENT CERTIFICATION

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 18 USC 1761

**CFR Citation:** Not yet determined

**Legal Deadline:** None

**Abstract:** The Private Sector/Prison Industry Enterprise Certification (PIECP) exempts certified State and local industries from two Federal statutes regulating the interstate commerce and marketability of prison made goods: (the Ashurst Sumners Act, codified at 18 USC section 1761 and the Walsh Healy Public Contracts Act, codified at 41 USC sections 35 to 45). Exempted industries must meet specific requirements aimed at preventing the unfair trade of prison made goods in order to receive Bureau of Justice

Assistance certification. This guideline implements the statutory requirements set forth at 18 USC 1761(c) and sets forth the administrative procedures of this certification program.

## Timetable:

Action	Date	FR Cite
NPRM	11/00/97	
NPRM Comment Period End	01/00/98	

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local

**Agency Contact:** Thomas Albrecht, Chief, Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, 633 Indiana Ave. NW., Washington, DC 20531  
Phone: 202 514-6236

**RIN:** 1121-AA36

## DEPARTMENT OF JUSTICE (DOJ) Office of Justice Programs (OJP)

## Final Rule Stage

### 1999. YOUNG AMERICAN MEDALS PROGRAM

**Priority:** Other Significant

**Legal Authority:** 42 USC 1921 et seq

**CFR Citation:** 28 CFR 0.12

**Legal Deadline:** None

**Abstract:** The Youth Medals Act 42 USC 1921, et seq., established the Young American Medal for Bravery, which is awarded to a person who has exhibited exceptional courage, extraordinary decisiveness, presence of mind, and unusual swiftness of action regardless of his or her own personal safety, and who was eighteen years of age or younger at the time of the occurrence. The Act also established the Young American Medal for Service, which is awarded to a person who has displayed outstanding character and service and who was eighteen years of age or younger at the time of the contribution. This rule fulfills congressional intent by establishing the outline of the program in a manner that ensures the statutory requirements are applied appropriately to all applicants while soliciting comments.

## Timetable:

Action	Date	FR Cite
Interim Final Rule	09/19/96	61 FR 49259
Final Action	01/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Ellen Wesley, Department of Justice, Office of Justice Programs, 633 Indiana Avenue NW., Washington, DC 20531  
Phone: 202 616-3558

**RIN:** 1121-AA37

### 2000. GRANTS PROGRAM FOR INDIAN TRIBES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 13701 et seq

**CFR Citation:** 28 CFR 91

**Legal Deadline:** None

**Abstract:** This rule outlines the requirements and procedures to award grants to Indian Tribes for purposes of constructing jails on tribal lands for the incarceration of offenders subject to tribal jurisdiction. This rule implements provisions of the Violent Offender Incarceration and Truth-In-Sentencing Grants Program for Indian Tribes as required by section 114 of the Fiscal Year 1996 Omnibus Consolidated Recissions and Appropriations Act.

## Timetable:

Action	Date	FR Cite
Interim Final Rule	09/24/96	61 FR 49969
Correction	10/18/96	61 FR 54333

Action	Date	FR Cite
Interim Final Rule Comment Period End	10/24/96	
Final Action	01/00/98	

**Small Entities Affected:** Governmental Jurisdictions

**Government Levels Affected:** Tribal

**Agency Contact:** Dr. Stephen Amos, Department of Justice, Office of Justice Programs, Correction Program Office, 633 Indiana Ave. NW., Washington, DC 20531  
Phone: 202 848-6325

**RIN:** 1121-AA41

### 2001. • ADMINISTRATIVE REQUIREMENTS FOR GRANTEEES TO REFLECT SINGLE AUDIT ACT AMENDMENTS

**Priority:** Other Significant

**Legal Authority:** 42 USC 3711, Omnibus Crime Control & Safe Streets Act; 42 USC 5601, Juvenile Justice & Delinquency Prev. Act of 1974; 42 USC 10601, Victims of Crime Act of 1974; 18 USC 4042; 18 USC 4351 to 4353; PL 104-156, Single Audit Act Amendments of 1996

**CFR Citation:** 28 CFR 66; 28 CFR 70

**Legal Deadline:** Final, Statutory, August 29, 1997.

## DOJ—OJP

## Final Rule Stage

**Abstract:** The Single Audit Act Amendments of 1996 (PL 104-156) and the June 24, 1997 revision of the Office of Management and Budget (OMB) Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," published on June 30, 1997 at 62 FR 35278, require agencies to adopt in codified regulations the standards in the revised Circular A-133 which colocates audit requirements for States, local governments, and nonprofit organizations. The

Department of Justice portion of this common rule fulfills the Attorney General's responsibilities under the Act and under revised OMB Circular A-133.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/29/97	62 FR 45937
Interim Final Rule Effective	09/29/97	
Interim Final Rule Comment Period End	10/28/97	
Final Action	06/00/98	

**Small Entities Affected:** Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** James McKay, Director, Financial Management Division, Department of Justice, Office of Justice Programs, 810 7th St. NW., Washington, DC 20531  
Phone: 202 616-2687

**RIN:** 1121-AA45

**DEPARTMENT OF JUSTICE (DOJ)**  
**Office of Justice Programs (OJP)**

**Completed Actions**

**2002. • FEDERAL LAW ENFORCEMENTS DEPENDENTS ASSISTANCE PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 3796

**CFR Citation:** 28 CFR 32

**Legal Deadline:** None

**Abstract:** The Federal Law Enforcement Dependents Assistance Program will provide financial assistance in the form of awards to the children and spouses of Federal civilian law enforcement officers whose deaths or permanent and total

disabilities in the line of duty resulted in the payment of benefits under the Public Safety Officers' Benefits (PSOB) Program. The financial assistance provided through the FLEDA program is designed to defray costs associated with higher education for these children and spouses.

**Timetable:**

Action	Date	FR Cite
NPRM	04/24/97	62 FR 19958
NPRM Comment Period End	05/27/97	
Final Action	07/15/97	62 FR 37713
Final Action Effective	07/15/97	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jeff Allison, Chief, Public Safety Officers' Benefits, Department of Justice, Office of Justice Programs, 633 Indiana Ave. NW., Washington, DC 20531  
Phone: 202 307-0635  
Fax: 202 397-3373

**RIN:** 1121-AA44

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